

DOCKETED

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APPEARANCES (*Present via Zoom)

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Siva Gunda, Vice Chair
Andrew McAllister
Patty Monahan

Commissioner Advisors

Jane Park, Advisor to Vice Chair Gunda
Erik Stokes, Advisor to Commissioner Gallardo
Terra Weeks, Advisor to Chair Hochschild
*Kathryn Kynett, Advisor to Commissioner McAllister

Staff Present:

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Dorothy Murimi, Public Advisor's Office
Brady Borcharding, Director, Office of Governmental and
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Elizabeth Huber, Director, Siting, Transmission, and
Environmental Protection Division
Matthew Pinkerton, Chief Counsel's Office
Ana Gonzalez, Chief Counsel's Office
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P R O C E E D I N G S

AUGUST 9, 2023 10:09 a.m.

CHAIR HOCHSCHILD: Well good morning friends, and welcome. I'm David Hochschild, Chair of the California Energy Commission. Today is August 9th, 2023. I call this meeting to order. Joining me are Vice Chair Gunda, Commissioner McAllister, Commissioner Monahan. And Commissioner Gallardo is out of the country on travel.

I want to welcome Vice Chair Gunda back from India, on a visit with your family, and a conference I understand you did with Secretary Granholm and others while you were there.

And we'll begin with the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was recited.)

CHAIR HOCHSCHILD: Thank you. So we're going to begin with Public Comment and then move on to Agency Announcements. And our Public Advisor will provide the instruction.

Again, the public comment we take at the beginning is for items that are informational. So the voting items, we will take public comment at that time for those voting items. So let me turn it over to the Public Advisor.

MS. BADIE: Good morning. This is Mona Badie, the Public Advisor for the Energy Commission. The

1 Commission welcomes public comment at its business
2 meetings. As the Chair mentioned, this is the open public
3 comment period for information on non-voting items. There
4 will be dedicated public comment periods for voting items
5 on the agenda today.

6 And there are multiple ways to let us know that
7 you'd like to make a comment. One is by using our QR code
8 that is posted around the room. Dorothy Murimi from the
9 Public Advisor's Office is at the table at the top level of
10 the room to assist you with that if you need assistance.

11 And also on Zoom, you would raise your hand, use
12 the raise hand feature. It looks like an open palm on your
13 screen. And if you're calling us by phone, you'd press *9
14 to raise your hand.

15 All right, so first we'll take public comment in
16 the room. All right. And sorry, another quick
17 announcement is to make sure we get through the agenda and
18 are able to hear from all the public comments, we will be
19 enforcing the two minute timer for public comment today.

20 So we have Josh Harmon. Josh, if you can
21 approach the podium, please make sure the green light on
22 the microphone is on, and you can -- please spell your name
23 for the record and you may begin.

24 MR. HARMON: Josh Harmon, J-O-S-H H-A-R-M-O-N.
25 Good morning, Commissioners. My name is Josh. I'm new to

1 PG&E up here at the behest of Mark Krauss who I'm sure many
2 of you have worked with. He said, "Go up there and
3 introduce yourself so they see your face." So I just
4 wanted to say hi.

5 I've been at PG&E for about five years,
6 California for the same amount of time. I've worked a lot
7 in energy efficiency on the Evaluation Measurement
8 Verification team, closely with the CPUC. And then the
9 last couple of years on Community Solar Title 24 Compliance
10 and related issues, where I had the privilege of meeting
11 McAllister a couple of years ago

12 So I just wanted to say hi, and show my face.
13 Thanks.

14 CHAIR HOCHSCHILD: Thank you, welcome.

15 MS. BADIE: Thank you. And next we will go to
16 Zoom.

17 First, we have Andrea Leon-Grossmann. Please,
18 Andrea, I'm going to open your line. You will unmute on
19 your end. Please spell your name and state any affiliation
20 before you begin your comment.

21 MS. LEON-GROSSMANN: If I want to give testimony
22 on Item 6, do I need to wait for that?

23 MS. BADIE: Yes, please. That would be great.
24 Thank you.

25 Okay, next we have Call-In User Two. I'm going

1 to open your line, please state and spell your name for the
2 record along with any affiliation. Your line is unmuted.

3 MR. UHLER: Good morning, Commissioners. This is
4 Steve Uhler calling, U-H-L-E-R. A couple of requests, I'm
5 noticing that transcripts are not making their way into the
6 dockets. Now I see there's been some change in personnel,
7 maybe these procedures are being overlooked. Of particular
8 interest is our RPS proceedings from 2021. And to go along
9 with that, I would like to know when the verification will
10 be done for the third period, 2017 to 2020, for RPS.

11 I've got an unanswered record request. I'm
12 looking for form 400. Those are the forms you submit to
13 the Office of Administrative Law for rulemaking. I got one
14 request back for a 400, but it had no docket number on it.
15 Now I do see that according to 25-213, you are to have
16 rulemakings and your rulemaking regulation says that there
17 should be a hearing. So I'm looking for 400s. I want to
18 find out about rulemakings that didn't have any hearings
19 and such. And perhaps that -- record requests should have
20 a docket for record requests.

21 Also Item 7, these land-use screens. I'm looking
22 into a database, a California electric transmission lines
23 database, a KML file. It has a data field called
24 "circuit." I'd like to know what that field is supposed to
25 hold, because I find things like a use-in/grades-in

1 (phonetic) name, which sounds like a circuit. But
2 otherwise it mostly says "double" and misspelled words. So
3 I'd like to know where I could find out about the data
4 structures and energy relation and such. Thank you.

5 MS. BADIE: Thank you.

6 Next, we have Kate Kelly. Kate, I'm going to
7 open your line. Please state and spell your name for the
8 record and any affiliation. You may begin.

9 MS. KELLY: Good morning. Can you hear me?

10 MS. BADIE: Yes.

11 MS. KELLY: Great. Good morning, Chair and
12 Commissioners. I'm Kate Kelly, K-A-T-E K-E-L-L-Y, on
13 behalf of Defenders of Wildlife, here on Agenda Item 7.
14 The land-use screening methodology and mapping
15 tool are a major milestone in energy planning that can
16 balance generation transmission and natural resource
17 protections, so California can meet our goals for both
18 renewable energy and natural resource protection. The
19 Commission staff and their colleagues at the PUC and the
20 ISO engaged stakeholders and an open and collaborative
21 process throughout the development of the methodology and
22 mapping tool. And we thank each and every one who brought
23 these screens and mapping tool to life. We look forward to
24 this continuing collaboration and thank you for your time
25 today.

1 MS. BADIE: Thank you.

2 That concludes public comment for Item 1. Back
3 to you Chair.

4 CHAIR THOMAS: Thank you. Okay, we'll turn now
5 to Item 2 agency announcements. I want to just begin with
6 an important milestone that our state passed and we
7 released publicly last week, which is for the first time
8 now 25.4 percent of new vehicles sold in California are
9 electric. And that means that one out of four vehicles
10 being made with a plug is a very significant milestone.
11 And to understand that 18 months ago, we were at 12.6
12 percent. So it has more than doubled in a year and a half.
13 We are on a path right now at this current rate to be the
14 first state in the United States to break 50 percent of new
15 vehicles all being electric by 2026.

16 And I really just want to commend all the
17 advocates who've been pushing for this clean transportation
18 future, all the team at the Energy Commission that's been
19 working so hard to deploy the 3 billion we're spending on
20 electric vehicle charging, our sister agencies, the Public
21 Utilities Commission, the Air Resources Board, the
22 Legislature, Governor's Office. This is a really big deal
23 to get there this fast. We obviously have a lot more work
24 to do, particularly on the charging infrastructure, which
25 is really one of the main gating items right now. But it

1 is important to think as we go forward to mark these
2 milestones, to celebrate these milestones, and kind of draw
3 some momentum and energy from that.

4 We're also on a path, I think we have a very good
5 shot to get to two-thirds of our electric portfolio being
6 carbon free clean energy this year. And these are really,
7 really significant steps forward. We have a lot more to
8 do, but to take stock of the momentum we're building.

9 I just want to thank all the staff, particularly
10 the CEC on the Fuels And Transportation Division, Hannah
11 Rasul's team, under the guidance of Commissioner Monahan,
12 for the incredible work to get us here. And Commissioner,
13 this has been 20 years of your labor is really paying off,
14 so thank you for that.

15 We are going to push Item 14, the Approval of
16 Minutes, from the July 26th business meeting out to a
17 future meeting, we need Commissioner Gallardo back for that
18 vote. And I also want to note, we're going to be seeking
19 to approve over \$36 million of grants in investments today
20 to support clean energy for California.

21 And with that, let me just open it up to other
22 agency announcements from my colleagues, maybe starting
23 with Commissioner McAllister.

24 COMMISSIONER MCALLISTER: Yeah, thank you, Chair.
25 So I just wanted to make sure to let everyone know that we

1 are, on October 10th and 11th, going to do a summit on
2 building electrification we're organizing. It's a two-day
3 event, organizing together with EPRI. It'll be right here
4 where you are sitting. And building electrification is a
5 core strategy to meet our climate goals, and to decarbonize
6 our economy.

7 Buildings are roughly a quarter of the emissions
8 overall. And we really have a great opportunity here to
9 pump a lot of resources into that space and get the market
10 moving and iron out any barriers we encounter. And it's
11 really a tremendous opportunity that I think it's the
12 culmination of many, many years of advocacy and work that
13 we've done here in California.

14 So we're hoping to have a nationwide footprint,
15 and really elevate the visibility of building
16 electrification in California's economy. Just with all of
17 the benefits, not just in the climate space, but for the
18 economy, for the workforce, bringing finance and investment
19 to the state and public health. Probably, maybe most
20 important actually, public health.

21 So anyway, we want just everybody put that on
22 their calendars, October 10th and 11th, right here at the
23 CRNA headquarters.

24 CHAIR HOCHSCHILD: Vice Chair Gunda.

25 VICE CHAIR GUNDA: Thank you, Chair. I just

1 wanted to introduce Jane Park who joined our office as the
2 newest Advisor. So Jane, if you want to just come
3 introduce yourself. Thank you.

4 MS. PARK: Is this better? My name is Jane Park,
5 I'm the new Adviser to Vice Chair Gunda. I'm coming over
6 from the Assembly, having worked for Assemblymember Zbur in
7 a prior capacity. I'm very excited to work with you all
8 and learn from the amazing team here. Thank you.

9 CHAIR HOCHSCHILD: Great welcome. I know
10 Assemblymember Zbur is a big of offshore wind. I've had
11 number of meetings with him. Great. Welcome to the Energy
12 Commission.

13 MS. PARK: Great, thank you.

14 CHAIR HOCHSCHILD: The only other thing I just
15 want to say at the outset, I really wanted to also thank
16 our Tribal Liaison, Katrina Leni-Konig, who along with many
17 others have been working on our tribal energy sovereignty
18 work and supporting tribal energy micro grids. I went down
19 with my Science Fellow, Alejandra Rios, on Monday to the
20 Tribal Energy Summit at the San Pasqual tribe. Just
21 incredible to see the momentum in the tribes now.

22 And the eight tribal microgrids we have funded
23 are the beginning. There's a whole bunch more coming,
24 particularly if we can win this \$470 million grant from the
25 Department of Energy. But I really just heard again and

1 again positive feedback about our Tribal Liaison when I was
2 at the meeting on Monday. So thanks, Katrina, for all your
3 work on that.

4 All right, with that we will turn to -- where are
5 we? Item 3, the Consent Calendar. Is there any public
6 comment on Item 3?

7 MS. BADIE: Good morning. This is Mona Badie
8 again, the Public Advisor. If you would like to comment on
9 Item 3, the Consent Calendar, the Commission welcomes
10 public comment at this time. And if you're in the room, we
11 ask that you use the QR codes to let us know. And if you
12 are joining us via Zoom, please use the raise hand feature.
13 And if you're joining us by phone, press *9.

14 And we have one comment on Zoom. Bret, I'm going
15 to open your line, please state and spell your name for the
16 record and any affiliation, and limit your comments to two
17 minutes or less. This is for Item 3, the Consent Calendar.
18 Your line is open. (No audible response.) Brett, you'll
19 have to unmute on your end if you'd like to make a comment.

20 MR. PREBULA: Sorry about that everybody. Brett
21 Prebula, B-R-E-T P-R-E-B-U-L-A, City Manager from the City
22 of Clayton. I just wanted to thank the Commission for the
23 opportunity, for the City of Clayton's loan agreement with
24 the Commission. The project that we'll be working with,
25 with Climate Tech, is really going to be one of the first

1 in Clayton's history.

2 We're moving forward with a lot of amazing energy
3 initiatives. It will be one of the biggest capital
4 projects in our city in a very long time and will have a
5 really great impact, not just in our energy use, but the
6 ability to improve electric charging and moving in that
7 direction for the city. It'll be our first wave along with
8 improvement of water use, solar, and a variety of other
9 aspects.

10 So just wanted to send my appreciation on behalf
11 of the City Council and the community of Clayton. And
12 thank you for just this opportunity to be able to partner,
13 and partner with our provider Climate Tech to do this
14 amazing work. Just thank you for you guys putting these
15 opportunities out for municipalities like ourselves.

16 MS. BADIE: Thank you for your comment.

17 That concludes public comment for Item 3. Back
18 to you, Chair.

19 CHAIR HOCHSCHILD: Okay, unless there's
20 Commissioner discussion on Item 3, I would entertain a
21 motion. Is there a motion on Item 3?

22 COMMISSIONER MCALLISTER: I'll move Item 3.

23 CHAIR HOCHSCHILD: Moved by Commissioner
24 McAllister. Is there a second?

25 VICE CHAIR GUNDA: Second Item 3.

1 CHAIR HOCHSCHILD: Seconded by Vice Chair Gunda.
2 All in favor, say aye. Commissioner McAllister.

3 COMMISSIONER MCALLISTER: Aye.

4 CHAIR HOCHSCHILD: Vice Chair Gunda.

5 VICE CHAIR GUNDA: Aye.

6 CHAIR HOCHSCHILD: Commissioner Monahan.

7 COMMISSIONER MONAHAN: Aye.

8 CHAIR HOCHSCHILD: And I vote aye, as well. Item
9 3 passes 4-0. We'll turn now to Item 4, Information Item,
10 ARPA-E Partnership and MOU. I welcome Erik Stokes.

11 MR. STOKES: Good morning, Chair and
12 Commissioners. My name is Erik Stokes with Commissioner
13 Gallardo's Office. Sorry --

14 COMMISSIONER MONAHAN: Is your mic on, Erik?

15 MR. STOKES: It is. Is this better?

16 COMMISSIONER MONAHAN: Yeah. I don't know why,
17 but it's not projecting, so you'll have to bend. You're
18 too tall.

19 MR. STOKES: Okay. Yeah, I'll be providing an
20 overview for you today on what's been a really successful
21 partnership between the CEC and the Advanced Research
22 Projects Agency for Energy, better known as ARPA-E. Next
23 slide, please.

24 So the partnerships between the two agencies
25 started about a decade ago. And it was essentially the

1 brainchild of two people: our former Chair, Dr. Robert
2 Weisenmiller and the acting ARPA-E Director at the time was
3 Cheryl Martin. And she brought the two agencies together
4 for some coordination meetings. And it was later
5 formalized in an MOU back in 2013.

6 And the partnership really came at a critical
7 time for both agencies. You know ARPA-E was, at the time,
8 a relatively new agency and in a lot of ways still finding
9 their footing. And for the CEC, we were transitioning into
10 the EPIC program, which was our new R&D program. And so
11 there was a greater emphasis on technology
12 commercialization than some of our prior research programs.

13 And there was tremendous value even early on in
14 the partnership and being able to coordinate and share
15 perspectives on technologies but also around practices for
16 administering research and development programs.

17 The MOU also came at a time when both agencies
18 were dealing with what was a really challenging market
19 environment at the time. The private sector looked at
20 clean energy innovation, essentially as a bad investment.
21 And in 2013, around the time we signed the MOU, venture
22 capital investment across the US bottomed out around \$2
23 billion. And this was hugely important for both our
24 organizations, because our research and development models
25 are to really bring technologies to a stage where the

1 private sector then can pull them through kind of the
2 proverbial innovation pipeline. And without that private
3 sector investment, it left a huge gap in funding that we
4 had to really try to think through on how best to kind of
5 bring that sector back into the space. Next slide.

6 So our coordination collaboration efforts over
7 the years have taken on a few different forms. It started
8 off, as I mentioned, with these annual coordination
9 meetings in which the ARPA-E team would fly out to
10 Sacramento. And we spent a day just kind of brainstorming
11 and exchanging information and ideas.

12 In addition, we would participate in each other's
13 kind of, big energy innovation showcase events. For that,
14 that's been the EPIC Symposium. And then on the ARPA-E
15 side, every year, they have this big regional -- I mean,
16 I'm sorry -- Annual Energy Innovation Summit that brings
17 thousands of people to really talk about the latest and
18 greatest breakthroughs and new technologies.

19 Really kind of the other piece to this, this
20 coordination was around the co-funding takes a lot of
21 capital to move these new technologies to
22 commercialization. And so any ways we can try to stack our
23 funding and align our funding was going to bring tremendous
24 value. And one of the initiatives that really came from
25 this partnership was kind of our BRIDGE funding

1 opportunity.

2 For a lot of these startup companies after they
3 finished one grant, the way competitive solicitation
4 processes work they may wait several months to a year
5 before their next funding round comes in. And for a
6 startup company worse, it slows down their momentum. And
7 sometimes it can even have these companies fall out of --
8 go bankrupt. And so the BRIDGE program really on the
9 seaside, kind of established a way within our competitive
10 solicitation process, to be able to pick up the most
11 successful ARPA-E companies in California, and make sure
12 there wasn't this gap in funding. Next slide, please.

13 So one of the important things to be able to show
14 from this coordination collaboration is impact. For both
15 our agencies, the goal is really to bring new technologies
16 to the marketplace. So we did some analysis to look at how
17 many technologies and companies have received support from
18 the two agencies. And from our analysis we identified over
19 35 companies. And these companies have raised over \$1.8
20 billion. And we think that's actually a low number. We
21 think it's actually much greater than that. And just to
22 put that a little bit in perspective, when we first started
23 this partnership, total investment in the space was 2
24 billion, so these 35 companies have almost equaled what was
25 private sector investment at the start of this.

23

1 And one of the key things is really around the
2 job development and how important that is. Currently,
3 these companies employ over a thousand people, and the
4 large majority of which are in California. Next slide,
5 please.

6 So just kind of kind of some recent updates.
7 Back in January we held a Regional Innovation Showcase. In
8 San Diego, we were fortunate enough to have Commissioner
9 McAllister participate in that event. And it was a great
10 way to showcase some of the companies and technologies that
11 two agencies have supported.

12 It was also great to hear from regional
13 stakeholders, including the Port of San Diego, the
14 military, San Diego Gas and Electric, and have them kind of
15 articulate what some of the needs that they're seeing as
16 far as new technology solutions, for the startup companies,
17 to kind of bring back with them as they're further
18 commercializing their technologies.

19 In addition, we renewed the MOU for another five
20 years back in March. And just kind of looking forward,
21 there's been a lot of -- like I said, the partnership feels
22 like it's as strong as ever. We have monthly coordination
23 calls just to share information, make sure each agency is
24 aware of the other, funding opportunities that they can
25 relay back to some of their recipients and applicants. And

1 just look for other opportunities on how we can better
2 partner and coordinate going further. Next slide.

3 So that concludes my presentation. We're
4 fortunate to have Dr. Daniel Cunningham from ARPA-E. Dr.
5 Cunningham is the Acting Deputy Director for
6 Commercialization and has been one of our key collaborators
7 over the last few years.

8 DR. CUNNINGHAM: Thank you very much. Let's do
9 the soundcheck everyone, hopefully you can hear me.

10 Yeah, so as Erik mentioned my name is Danny
11 Cunningham. I'm the Acting Deputy Director for
12 Commercialization at ARPA-E. And I report directly to the
13 director, Evelyn Wang, who's unfortunately not been able to
14 be here today.

15 But I just want to say that well, ARPA-e has a
16 strong bipartisan history, and it was created to support
17 the types of projects that Erik mentioned, the high risk,
18 the high potential transformational energy projects. So
19 these projects we fund are developing country new ways to
20 generate electricity, to store energy, and also to use
21 energy.

22 These are projects that ARPA-E supports, that
23 supports ARPA-E's mission to increase energy independence,
24 reduce emissions, improve energy efficiency, our economy,
25 and also to bolster national security. And to improve the

25

1 resiliency and reliability of grid, which is very, very
2 important of course.

3 In my role at ARPA-E I helped to innovate the
4 energy technologies transition from the lab to the
5 marketplace. And also, and this is obviously, clearly a
6 very shared goal between ARPA-E and CEC. And the
7 Memorandum of Understanding signed earlier this year in
8 March, as Erik mentioned, between ARPA-E and CEC really
9 helps solidify our joint efforts in research and
10 development. And to demonstrate and ultimately deploy
11 these energy technologies.

12 I really -- in our view, the MOU really
13 underscores enhanced coordination in including the cross
14 participation. And designating representatives to help us
15 share the information for the projects in events such as
16 Erik pointed out that we had in San Diego this year, and to
17 also enhance the collaboration between the agencies.

18 Erik gave a really good overview of that. And I
19 want to thank him for highlighting those coordinated
20 activities and for illustrating, really illustrating the
21 impact of our continued work together.

22 So I know you have a lot to cover in this
23 business meeting today. And I want to again thank you for
24 allowing me to join today. And also thank the
25 Commissioners for supporting this very, very important MOU.

26

1 And I think together, we can maximize investments
2 in these cross cutting energy technologies. And I really
3 support the long term social and economic benefits in
4 California and across the United States too. So thank you
5 very much.

6 CHAIR HOCHSCHILD: Great. Well thank you, Erik,
7 for that presentation. And the terrific work you're doing
8 with ARPA-E.

9 I spoke yesterday at the dedication of a new
10 solar factory in Fremont, Nextracker, which is now
11 building the controllers for these utility scale solar
12 programs, solar projects. And just over the course of a
13 decade this one company's now gone from a couple of million
14 dollars in market cap to a \$6 billion company. And another
15 reminder that California is an incubator for the clean
16 energy industries of the future.

17 And these programs, the seed planting, and
18 particularly when we can do it in a coordinated way, just
19 make it happen so much faster.

20 And with all the tax credits in the Inflation
21 Reduction Act, I mean it is interesting this factory we
22 dedicated yesterday is one of ten that Nextracker is
23 bringing back to United States. The chance to not only
24 grow the technologies, but to do the manufacturing here and
25 create those high quality manufacturing jobs is really

1 compelling. So I just want to commend ARPA-E and Erik, the
2 whole team.

3 I also, Erik, just wanted to say congratulations
4 to you on your new role as an Advisor to Commissioner
5 Gallardo. You've had a really distinguished run in the R&D
6 team for many years. And it's wonderful that you can now
7 support Commissioner Gallardo's work, particularly on
8 Lithium Valley. It kind of ties together a lot of the
9 community outreach in the lithium ecosystem work we've been
10 doing. So congratulations to you.

11 Any other questions? Vice Chair Gunda.

12 VICE CHAIR GUNDA: I don't have anything. Just
13 to say welcome on board, Erik. Thank you. It's a
14 wonderful opportunity to be with Commissioner Gallardo and
15 using all that you bring to the table (indiscernible).
16 Thank you.

17 MR. STOKES: Thank you.

18 CHAIR HOCHSCHILD: Commissioner McAllister.

19 COMMISSIONER MCALLISTER: So to reiterate the
20 congrats. I look forward to working with you in your new
21 capacity.

22 And just on the event, the ARPA-E EPIC event down
23 in San Diego that I went to a while back, just you could
24 feel the goodwill in the room, and just the excitement of
25 the collaboration. And just the idea that California is

1 explicitly supporting, and the federal government now
2 handshaking with us, on supporting these key technologies
3 in the future. It's just for all those companies that were
4 in the room, they were so excited to show their wares. And
5 sort of, you know, help everyone understand the roles of
6 their technologies that they were aiming to fulfill. But
7 also they just were so grateful to have those resources.
8 And you could just feel the sense of optimism, just
9 palpably in it.

10 And I think that's really due to the staff and
11 the way we develop that program and are very intentional
12 about what we fund and how we support these companies. So
13 it's really exciting.

14 COMMISSIONER MONAHAN: Just one last comment,
15 Erik, that I learned a lot. I actually didn't know that we
16 had an MOU with ARPA-E. So that was really helpful. It
17 gave me a lot of food for thought around should we be
18 cultivating additional ones? And I'm curious, from your
19 perspective, sort of what the MOU provided that wouldn't
20 otherwise occur through more organic conversations?

21 MR. STOKES: Yeah, I think the MOU was really
22 important just to establish some of the parameters and kind
23 of some marching orders. I think what's really carried
24 this partnership through has been the relationships that
25 we've built and maintained across the two agencies. And

1 you know, allowed us to then kind of revisit the MOU. And
2 I think both sides were very excited to be able to continue
3 it for another five years. But like I said the important -
4 - at the beginning it was very important. And then it gave
5 time for like I said those relationships to really be
6 formed. And that that was probably more important than the
7 MOU.

8 CHAIR HOCHSCHILD: Great. Thank you so much.

9 MR. STOKES: Yes. Thank you.

10 CHAIR HOCHSCHILD: I actually would like to call
11 an audible here. There's a hello and a goodbye I'd like to
12 do, so if I can have Terra Weeks come up as well as Brady
13 Borcharding. And I'll start with Terra.

14 So Terra, as many of you know, has been an
15 Advisor in my office for six years. This is her last week.
16 She just got married, she's taken some well-deserved time
17 off, and I just wanted to personally recognize just what an
18 extraordinary woman you are. We have had an amazing run
19 together. Really, every project that you've touched, has
20 been amazing. And you started as a Summer Fellow in my
21 office when you were at Stanford working on seed planting,
22 and best practices for local citizens who wanted to mandate
23 solar on new construction. So we had basically seven
24 cities that did that, which really helped enable us to
25 under Commissioner McAllister's leadership to do that for

30

1 the whole state.

2 And then you led with grace and diligence, and
3 incredible intelligence, the whole SB 100 process. We did
4 eight workshops around the state, working with our sister
5 agencies, which is not always easy, all the coordination,
6 but we had a super robust process. And we really put SB
7 100 on the map. And now Vice Chair Gunda is the lead on
8 that. And continuing that momentum on electrification, we
9 did the proposal on going big on EVs, and so many other
10 things. Lithium Valley, offshore wind. You've been an
11 absolute delight to work with. And I couldn't be prouder
12 of you, couldn't be happier for this incredible six-year
13 run.

14 I want to again say congratulations to you and
15 Erik, for getting married, a wonderful Energy Commission
16 love story. And we're just all in your cheering section.
17 So really on behalf of the whole Energy Commission thank
18 you for everything.

19 And we'd just welcome any comments if you'd like.
20 If you turn the mic on.

21 MS. WEEKS: There we go.

22 CHAIR HOCHSCHILD: After six years I'd think
23 you'd know. (Laughter.)

24 MS. WEEKS: Well, thank you so much for those
25 kind words. I'm going to try to get through this without

1 tearing up. It's definitely a bittersweet goodbye. But it
2 has just been such an incredible run. And to all the
3 Commissioners, I feel so privileged to have been able to
4 work with each and every one of you in some capacity on
5 some project. And I've learned so much from all of you.

6 And Vice Chair, I'll start with you in
7 particular. We were in the trenches on SB 100 before you
8 were appointed to your current role. And I learned so much
9 from you, just not only on the subject matter, but
10 navigating relationships, building trust, leading with
11 vulnerability, and taking a page out of Brene Brown's book.
12 And it's just been such a pleasure learning from you and
13 then watching you step into this role.

14 And then David, Chair, I don't even know where to
15 start. And we'll have more time to celebrate this evening.
16 But it has just been incredible working for you, I've
17 learned so much from you. And you really just lift up
18 those around you. And I can't even believe that I've been
19 able to work on the projects I've been able to work on in
20 this role, and really dive into these such important policy
21 topic areas.

22 And maybe, I'll just say this. I remember when I
23 first started in this job you were actually traveling for
24 the first few days. So it was blissfully quiet and I was
25 able to actually kind of get situated and oriented a little

1 bit. And then I remember it was maybe my third or fourth
2 day, you were finally back in the office. And I come in
3 and Kathleen, our assistant then at the time goes "Terra,
4 David's in, I hope you're wearing your dancing shoes." And
5 I feel like I have not taken them off since. It has been a
6 whirlwind of almost six years now.

7 But just thank you again. I'm so appreciative of
8 the opportunity to have worked in this position, worked in
9 your orbit. And I'm excited to see what you all continue
10 working on in charting this path forward. So just thank
11 you all so much.

12 CHAIR HOCHSCHILD: Thank you, Terra.

13 Any other comments? Vice Chair?

14 VICE CHAIR GUNDA: Thank you, Terra. I know
15 we're going to celebrate this afternoon, but sometimes it's
16 good to just put it on the record. I think we -- I said it
17 in our private meetings very rarely it is you can look at
18 somebody and say you could do anything you want. And I
19 hope to say that to my daughter one day, that she could do
20 whatever she puts her head towards, and hearts towards.
21 You're one of those few people that I've met in my career
22 who is so determined in the way you approach things.
23 You're solid. You work hard. You have that unique ability
24 to take complex things, and distill and create confidence
25 as you're doing that with a number of different people. So

1 I wish you all the best, we'll miss you sorely here.

2 While you and Erik were doing the CEC dating,
3 which I didn't know for a while it was times when we looked
4 at the house looked the same. Your background look the
5 same and so we used to joke about it. What's going on
6 there, on Zoom calls. And you would take the vacation at
7 the same time. And we're like, what's going on with you
8 guys? But so, so happy that you both found each other.
9 And thank you for reminding me to continue to be vulnerable
10 and being honest in this work we do. And thank you for
11 being a part of my life. Good luck with everything you do.
12 Thanks.

13 COMMISSIONER MONAHAN: Well, Terra, I just want
14 to say you are a perfect yin to the Chair's yang. I feel
15 like the Chair's energy is just go, go, go. And you're go,
16 go too, but you're in a calmer, more implementation focused
17 way. I hope this is a compliment to both of you.

18 And I also want to say I was thinking back to
19 when I had a training, group training from Second City,
20 which is a comedy troupe in Chicago when I worked at the
21 Union of Concerned Scientists. And one of the things they
22 said about group processing is that the "and yes." You
23 always say yes and build on somebody else's idea. And you
24 do that consistently. You're this "and yes", person. And
25 I know wherever you land you're going to bring that

1 creativity, that optimism, that can do attitude. And just
2 thank you for bringing it to the Energy Commission.

3 COMMISSIONER MCALLISTER: Well, I'll echo
4 everything everybody has said. And that just you're a
5 force of nature. And I really have appreciated the
6 combination of just hard work and grit and bringing other
7 people's ideas together, and being able to integrate them
8 in a way that just makes sense and is straightforward in
9 plain language. But also looking at things with fresh eyes
10 and bringing some creativity to those tasks.

11 And I think all the products that you've been a
12 part of and you've led, I think they really reflect that
13 integration, but also that sort of new thinking that I
14 think helps us forge the path, break new ground. And
15 that's kind of what that's all about. And I think partly
16 it's you didn't have a template coming out of undergrad
17 maybe and you just -- of course you were doing that. But I
18 think it really speaks to your skill set and you're both
19 personable kind of attributes, but also your critical
20 thinking skills. And it's just, it's an amazing
21 combination.

22 And I agree, you're just going to go -- your next
23 thing is going to be -- we're all excited to see what that
24 is, because it's going to be a big deal. So thank you.

25 CHAIR HOCHSCHILD: Yeah, and just in closing I do

1 want to recognize, there's enormous sacrifices that you
2 made, and that other staff at the CEC have made to just do
3 this work. Because it gets really, really intense.

4 I remember that period when we're going through
5 fires and COVID, and blackouts, and drought, on top of
6 trying to advance all these climate solutions, which are --
7 we all feel such urgency for and it takes a toll. And you
8 hung in there with incredible grace. And it's been so
9 gratifying to see these ideas begin to mature. I mean,
10 getting to 25 percent ZEV adoption in a couple years. I
11 mean, all these things, renewables progress and building
12 electrification now. And so it's just really the fruit of
13 a lot of hard work.

14 So thank you for everything. And thanks for
15 putting up with me. I'm not easy to put up with. So let's
16 give Terra a round of applause then.

17 MS. WEEKS: Thank you so much.

18 CHAIR HOCHSCHILD: Thank you, Terra.

19 And we also have a warm welcome for a new
20 superstar who's just joined the Energy Commission this
21 week, Brady Borcharding. Come on up, Brady.

22 So there are four appointed positions, in
23 addition to the five of us that the Governor appoints.
24 There's four other positions in staff that the Governor
25 appoints and one of the most important is the Director of

1 the Office of Governmental and International Affairs.

2 Brady, you came to us highly recommended from the
3 Legislature, Senator Wiener and others, and bring a wealth
4 of background. But I wanted to just give you a chance to
5 introduce yourself and welcome you to the job.

6 MR. BORCHERDING: Thank you so much. This is my
7 first time turning on the mic, so I don't have an
8 expectation. No, thank you so much for the opportunity,
9 Chair Hochschild and Commissioners. It's my third day on
10 the job, so the learning curve is still very, very steep,
11 but I'm very excited for the work ahead.

12 Most recently I was in the private sector at Fuel
13 Cell Energy, a hydrogen and fuel cell company. And before
14 that I was in the Legislature for six or seven years, most
15 recently with Senator Wiener, the pleasure and of the
16 punishment as some would say. But very excited for the
17 work ahead. And I'm very happy to be here. So I'll leave
18 it at that.

19 CHAIR HOCHSCHILD: Great. Well, welcome Brady.

20 Okay with that we'll turn to Item 5, Information
21 Item on Summer 2023 Grid Reliability Update. I welcome
22 David Erne.

23 MR. ERNE: Oh, it was off. There we are.
24 Usually I have no problem projecting, so I apologize but I
25 obviously didn't check for the light.

1 Hi, my name is David Erne. I'm with the Energy
2 Assessments Division. And I -- good morning to the Chair,
3 Vice Chair and Commissioners.

4 Today I'm going to give an overview of our energy
5 reliability situation for the summer, some additional
6 perspective on how we're doing on our clean energy
7 transition. And also based on some questions that came up
8 at a business meeting a few months ago, I'm going to give a
9 little bit of overview of the once-through-cooling plant
10 historic operations and perspective on those. Next slide.

11 First, let me talk about transitioning and our
12 clean energy future. After I spoke last to you, the
13 Governor released his California Clean Energy Transition
14 Plan. That was in May of 2023 of this year. That plan
15 lays out a very clear vision for California's transition
16 and identifies the cornerstones of that transition to
17 include electrifying our economy and decarbonizing our
18 grid.

19 As such, the state has very strong and ambitious
20 clean energy goals, SB 100 is critical to that. And the
21 intent of all of that is that we will have a grid of the
22 future that is clean, affordable, reliable, equitable and
23 safe. And that's what we're aiming for. And amongst all
24 of that, we're also dealing with the effects of climate
25 change, which are affecting our grid more and more each

1 day. Next slide.

2 To address that, the state has taken some very
3 strong action in funding to help address both greenhouse
4 gas emission reduction, as well as climate adaptation.
5 Over \$52.3 billion committed over the last few years
6 towards a variety of programs to help us with both
7 reduction and adaptation, 8.2 billion of that is for clean
8 energy and reliability. Very essential portions are a
9 commitment to keeping that clean energy safe, reliable,
10 affordable grid of the future.

11 That 8 billion focuses on three main elements:
12 ratepayer relief, which is very important for the
13 affordability element. Our strategic reliability reserve,
14 which I'll cover in the next slide. And clean energy
15 development. A substantial portion of that 8 billion is to
16 develop additional clean energy for the grid: both supply
17 and demand resources, diversify our resources. All of
18 that, a major portion of that was covered in the Clean
19 Energy Reliability Investment Plan that CEC provided to the
20 Legislature earlier this year. Which would lay out a plan
21 for spending \$1 billion on primarily diversifying our
22 resource mix for the state. Next slide.

23 Of that there's a large portion, almost 1
24 billion, that's come to the Energy Commission. I want to
25 talk about two very important elements for today, which are

1 the Distributed Electricity Backup Assets Program and the
2 Demand Side Grid Support Program. Both of those programs
3 are part of the state's Strategic Reliability Reserve,
4 which are intended to provide support to the grid when we
5 need it in those critical emergencies or critical events
6 like the heat events we've seen in the past. Last year, in
7 fact, the Strategic Reliability Reserve was able to provide
8 support to the grid to help us get through that 10-day heat
9 event that we had, heat spiking event that we had August
10 31st through September 9th.

11 The Demand Side Grid Support Program basically is
12 helping to provide resources for backup generators to be
13 operating as we need to, to provide additional load
14 reduction for the state. But we recognize that that is a
15 near-term action that we needed to take. But the long-term
16 action is really to have clean backup generation, which is
17 what the Distributed Electricity Backup Assets Program is,
18 or DEBA Program, is intended to support clean backup
19 generation, which will alleviate us from having to operate
20 those dirty backup generators. And that's going to be a
21 very important part of CEC's efforts to contribute to those
22 emergency situations in a clean way.

23 As I mentioned, these are two elements of the
24 Strategic Reserve, these are the kinds of demand side
25 elements of the Strategic Reserve. There's also the supply

1 side, which is Department of Water Resources and their
2 Electricity Supply Strategic Reliability Reserve Program.
3 Delphine Hou, the Deputy Director in DWR, will be talking
4 about it in the next agenda item. That is the supply
5 component as opposed to CEC's, which is the demand
6 component of the Strategic Reserve. Next slide.

7 In our clean energy transition, we've seen
8 substantial growth in clean energy resources in California.
9 That capacity that clean energy has tripled in the last
10 decade, very substantial growth in clean energy. Most of
11 that though, has come from variable resources, solar and
12 wind.

13 But over the last few years, we've had a
14 substantial growth in the amount of energy storage on the
15 grid. As of July 1st of this year, there is 5,600
16 megawatts of energy storage on the CAISO bulk grid system.
17 And CEC anticipates that by the end of this year, there
18 will be 8,000 megawatts total in California. And 1
19 gigawatt of that is going to be just distributed,
20 commercial and residential.

21 So we have substantial growth, not just on the
22 CAISO grid, but more broadly in California. And a growing
23 portion of that is going to be distributed or behind-the-
24 meter, which is also beneficial. Next slide.

25 As I mentioned to you last time I briefed you, we

1 have three main challenges, which are identified here in
2 the red. But we're taking substantial action against those
3 three challenges. In our grid planning, we have made
4 changes to our demand forecast to better incorporate
5 climate change. So we're looking at the impacts of climate
6 change, and what that will mean for our demand moving
7 forward.

8 We're also working very closely with other
9 entities in the state to improve our interconnection and
10 permitting processes to get more resources online as
11 quickly as possible.

12 We've also increased our planning reserve margin
13 for the load serving entities in the CPUC territory from 15
14 percent, historically now to 17 percent next year, so we're
15 growing that additional opportunity.

16 We've also increased our demand flex programs.
17 Since last summer we had about 1,800 megawatts of both
18 supply side and demand side DR. And CEC established
19 working with our sibling agencies, a new demand flex goal
20 of 7,000 megawatts by 2030. We are also preparing for
21 extreme events with contingencies, and I mentioned the
22 Strategic Reserve as being a critical portion of that.
23 Next slide.

24 This summer, conditions look much better than
25 last summer. Our projections using our modified stack

1 analysis gave us an indication last year that we could have
2 challenges even under our regular -- or under our average
3 conditions. This year, we feel under average conditions,
4 we will be in a good position. But if we have conditions
5 like we saw in 2020, during that two-day heat event in
6 August, or our ten-day heat event last year, we could have
7 challenges and need additional resources. That is critical
8 for what we're -- have the contingency resources like the
9 strategic reserve, therefore, to help us provide that
10 support.

11 These projections do not include something like a
12 coincident fire. As we saw in 2021, the Blue Lake fire in
13 Oregon caused a 4,000 megawatt reduction in capacity of
14 imports to California; 3,000 of that in CAISO territory.
15 This does not include that. So there's still a lot of
16 challenges that we can experience with climate change that
17 we need to be aware of and have these contingency resources
18 for. Next slide.

19 I've walked through a number of these elements
20 previously, of our contingencies, the strategic reserve
21 being critical to that. There are additional CPUC
22 ratepayer programs like the ELRP, which is Emergency Load
23 Reduction Program, which is like our DSGS. I mean, there's
24 also nonprogram like balancing transfers between balancing
25 authorities that can help us in those contingencies.

1 We estimate we have about 2,800 megawatts of
2 contingencies, which should be sufficient to cover the
3 situations that I mentioned previously if we have those
4 2020 or 2022 events.

5 Now with that, I'm going to move forward to talk
6 a little about the once-through cooling plants, and give
7 some perspective on their operation over the last few
8 years. Can we go to the next slide?

9 The once-through cooling plant, the once-through
10 cooling generating units, have decreased substantially over
11 the course of their operating time. They were built many,
12 many years ago. But since 2009, they've been decreased
13 substantially. There were originally 19. Most of those
14 have either retired or shut down for other reasons.

15 And there are basically three plants that are
16 being considered today by DWR for this Strategic
17 Reliability Reserve. And I'll talk through some of their
18 performance and their operations. Next slide.

19 I'll walk through one by one. So the Alamitos
20 Generating Station, this is in Long Beach. This was
21 originally built in the fifties. It has six units so
22 approximately about 2,000 megawatts of capacity. It was
23 built by SCE and then was acquired by AES in 1998. This
24 consists -- there are three of the units have already
25 retired in compliance with the OTC policy, and three units

1 are the units that are being considered, which is about
2 1,100 megawatts for the extension request.

3 Adjacent to this OTC plant, there are several
4 other facilities that are aligned with the Alamitos area.
5 And those are a combined cycle gas plant of 675 megawatts
6 and 100 megawatt energy storage plant, which is also going
7 to be looking at expanding that to provide more energy
8 storage there. So continuing general operation in that
9 area even after the OTCs are eventually retired. Next
10 slide.

11 the Huntington Beach Generating Station, this was
12 originally built with five units again, back in the fifties
13 and sixties. Built by SCE and acquired by AES and '98.
14 Originally had 1,100 megawatts. Of those five units, one
15 closed basically for emissions control reasons. Three
16 units were closed in compliance with the OTC policy. And
17 there's one unit that is currently online, at 226
18 megawatts, as part of the extension request.

19 Adjacent to that facility is a 674 megawatt
20 combined cycle plant. And I believe AES has more energy
21 storage or energy storage planned for that area. The last
22 one is the Ormond Beach Generating Station, next slide.

23 Okay, there's two units there with approximately
24 1,500 megawatts of capacity, built by GenOn in the early
25 seventies. These two units are part of the extension

1 request, so an additional 1,500 megawatts. Once the units
2 are retired then post closure there's an agreement with the
3 city to conduct demolition and restoration of the area.

4 GenOn intends to incorporate some energy storage
5 on the facility but also create planned public access and
6 parking, as well as habitat restoration. GenOn, by the end
7 of this year, will have set aside 25 million for all of
8 those activities. And under the agreement with the city,
9 if the plant is extended then GenOn will provide another 10
10 million to the city for their purposes. We'll just talk a
11 little about their operation. Next slide.

12 So this shows the annual operating capacity
13 factor for each of these facilities since 2015. You can
14 see that there has been a general decline in their
15 operations, so capacity factor is the percent of time that
16 they're producing electricity relative to the percent that
17 is their maximum generating capacity.

18 So operating, for example, Huntington in 2015 at
19 about 20 percent of the time. Down to what we see over the
20 last four years, which is about 2 to 5 percent of their
21 capacity factor, basically their potential operating
22 capacity for those three plants.

23 To provide perspective, the 10-day heat event
24 last year was a large portion of the 2022 operation. That
25 was about 20 percent of Alamos, 25 percent of Huntington

1 Beach, and 46 percent of Ormond Beach, their operations for
2 the year. But those operations again have substantially
3 reduced. That's capacity factor. Remember that each of
4 them produce varying amounts of electricity from 1,500
5 megawatts to 226.

6 So if you look at what those operations really
7 mean over the last year since 2015, Alamitos has produced
8 between 370,000 to 690,000 megawatt hours per year. So a
9 pretty high amount for Alamitos. Ormond Beach comes in at
10 a much more variable 100,000 to about 725,000, which was at
11 its peak in 2020. And Huntington Beach has had less than
12 100,000. So it's a much smaller facility. Next slide.

13 This slide just simply shows that most of that
14 operation is during the summer months when we need those --
15 need electricity the most. These have been operating
16 within the market over the past few years. If it becomes
17 part of DWR's operations, it would only be operated during
18 emergency situations. So you would not see operations to
19 this extent, but only operating during those emergency
20 events. Next slide.

21 I also want to talk a little bit about the heat
22 event last year where we had all three plants operating.
23 All three plants provided general support to the grid
24 during that 10-day event. You can see, it's kind of hard
25 to tell, but they had different variations of support.

1 Huntington Beach was pretty much operating as expected.
2 Alamitos had a trip that occurred after September 6th. And
3 Ormond Beach had a slow ramp up. They had a trip that went
4 offline, and their ramp up to provide during that week was
5 slow to get started. But they did provide almost their
6 full capacity on September 6th.

7 The combination of the three did provide about
8 2,000 megawatts to the grid on September 6th, which was the
9 day if you recall, where we had a new maximum load for
10 California of 52,000 megawatts. And 2,000 of that was
11 provided by these operating units.

12 Our staff in the Siting, Transmission and
13 Environmental Protection Division looked at emissions for
14 these plants during that 10-day event. They modeled those
15 emissions, and they found that during the operation of the
16 emissions startup shut down, and full operation, they took
17 the worst case emissions for NOx, and they look at the
18 worst meteorological conditions. And the result of that
19 modeling shows that all of those plants were operating
20 within the health based ambient air quality standards for
21 NOx. That is not to say just because they're operating
22 under those permits, that the folks in those neighborhoods
23 are not affected by emissions. I don't want to give that
24 impression. I just want to point out the fact that they
25 were within their permit limits during those times. Next

1 slide.

2 To wrap up, let me just say, key takeaways here
3 are California is powering its economy with clean energy.
4 We have challenges. We're working very hard to build out
5 that clean energy on the grid. But we do have our
6 challenges, supply chain, permitting interconnections, etc.
7 that we need to continue to work on. We need to continue
8 to diversify our resources, like we noted in our Clean
9 Energy Reliability Investment Plan. We need a wider
10 variety of resources for the grid. And the build out of
11 those are very critical to having more resilience.

12 And lastly, we need to continue proactively
13 addressing these challenges now in going forward. With
14 that, I conclude my informational item, and I'll take any
15 questions.

16 CHAIR HOCHSCHILD: Great. Thank you so much,
17 David, for that presentation.

18 And we'll turn now to Commissioner discussion,
19 starting with Vice Chair Gunda.

20 VICE CHAIR GUNDA: Thank you, David. First of
21 all thanks for that very informative presentation. I don't
22 as much have questions, but just wanted to reiterate or
23 comment on some of the things that you just mentioned.

24 One element -- so first of all, thanks for taking
25 the request from last meeting, after we heard from a number

1 of public commenters that they would like more information.
2 So thank you for taking that and putting this on the agenda
3 today.

4 So I think a couple of core elements that I want
5 to reiterate and want to make sure I understand. So you
6 mentioned the kind of the multi-prong approach. And I just
7 want to reiterate that for the record. I think this
8 particular item today, the DWR we're going to talk about
9 next is part of a three-pronged approach that the state is
10 taking. And we've been collectively working on that.

11 And it might seem that today's Item Number 6 is
12 occurring by itself, it is really a part of a broader
13 strategy to reduce the emissions and move towards clean
14 energy goals as quickly as we can. And that approach
15 includes really maximizing our demand flexibility. To that
16 end, CEC has taken a vote a couple of months ago to put out
17 the ambitious goal of 7,000 megawatts of demand flexibility
18 by 2030. A large amount of that demand flexibility was
19 really to replace this strategic reserve with demand
20 flexibility. That was the idea, and really using the DSGS
21 and DEBA money to get us there.

22 Second, to rapidly expand the clean energy
23 procurement and steel in the ground. To that end, CPUC has
24 authorized over 18,000 megawatts since about four years
25 ago. So over the last four years, they've approved about

1 18,000 megawatts that's NQC. So that's nameplate capacity.
2 That's not nameplate capacity. It's called NQC net
3 qualifying capacity. So when you take the nameplate
4 capacity of that, that could be anywhere from 35 to 40,000
5 new megawatts.

6 So that's the amount of new procurement that's
7 worth hundreds of billions of dollars, that the CPUC has
8 directed the utilities to push forward. So those are two
9 elements, maximize demand flexibility, maximize the
10 procurement, and accelerate that.

11 And the third element is while these two are
12 happening, how do we ensure that our planning processes do
13 not have uncertainties. And also making sure to the extent
14 that the demand flexibility or the clean energy procurement
15 doesn't show up. What is our break glass insurance policy
16 to keep the lights on and keep Californians health safe?
17 And that's the discussion that happened with the
18 Legislature last year. And the idea there was to create a
19 strategic reserve that backstops the necessity shortfall.

20 So I just want to put it on the record. And to
21 the Commission Members, who are actively tracking this
22 whatnot, and think of this every day. And to our
23 colleagues and the public that are in attendance here this
24 is not a one-prong strategy. This is a multi-prong
25 strategy trying to make sure we have reliability,

1 affordability, but also being able to keep the public
2 health safe.

3 So and finally I want to make sure that that we
4 want to talk through a couple of elements over the last
5 couple of business meeting items Deana Carrillo who's the
6 Director for the reliability programs, might have talked.
7 We have two important programs, the DEBA and the DSGS.
8 Both of those programs with some -- both from the public
9 input, and colleagues from the advocates, we are going to
10 spend a significant amount of that money to specifically
11 support disadvantaged communities and communities that are
12 being affected. And that's the conversation we will
13 continue to have, but the current guidelines are set in
14 place to make sure that's maximized.

15 So those are the main points I wanted to make.
16 To looking at reliability, is reliability is one of four
17 foundational principles that we have to move the overall
18 trajectory of the state forward. And when we talk about
19 reliability it's just not one thing, it's demand, its
20 supply. It's making sure we have backup assets in our
21 pocket, but also making sure we are doing our planning
22 right and creating a just transition.

23 So all these things when we take together. And
24 unfortunately, sometimes we have to make decisions that are
25 difficult for the Commission. And that probably will set

1 the stage for the next item. But thank you, David.

2 CHAIR HOCHSCHILD: Questions? Commissioner
3 Monahan.

4 COMMISSIONER MONAHAN: David, that was really
5 helpful. Thank you very much. And thanks to the Vice
6 Chair for bringing this item. I think it was really
7 helpful and timely.

8 And I wonder if you could, can we go back to the
9 slide on the 2022 heat event operation? Public Advisor or
10 whoever is in charge of the PowerPoint.

11 MS. BADIE: Andrew, if you could? Thank you,
12 Andrew.

13 COMMISSIONER MONAHAN: And I wonder, David, can
14 you just walk us through for both Alamitos and Ormond
15 Beach, just the periods of offline. And why those
16 occurred, and what they mean in terms of just reliability?

17 MR. ERNE: Yeah. I don't have the specifics of
18 exactly what caused them to trip offline. But if Joey, do
19 you have that information? (No audible response.) But I
20 will say that the operation, the tripping did result in
21 lower generation during those times as I would imagine.
22 And those plants are old plants, and they do trip offline
23 because they are older plants, at times. And so it is not
24 a perfect solution for those plants. But they do provide,
25 in this case provided 2,000 megawatts cumulatively on the

1 worst day. Sure.

2 MS. HUBER: Good morning, I'm Elizabeth Huber.
3 This is for the record. Elizabeth Huber with the Division
4 of Siting, Transmission and Environmental Protection. And
5 I do have my air quality team here who helped with this
6 data, working with GenOn at Ormond Beach, and AES with
7 Huntington Beach.

8 What we know is that because during extreme heat
9 events, the CAISO does dispatch them, and they are running
10 at 100 percent. And then what happens is they get derated.
11 And so then eventually if they're continuing to run for a
12 continuous period of time, eventually you can have any type
13 of issue or overheating. And then they make a decision to
14 take it down and then re-ramp it up.

15 And then in other situations if our temperatures
16 -- we get a cooling period, or we switch to battery storage
17 in the early evenings, then CAISO will ask them to do ramp
18 down and go off. And then if something else happens in
19 another part of the region they may come back a couple
20 hours later and say, "Well, we actually need you to come
21 back online."

22 So some of the lines you're seeing here are for
23 these various reasons. It's not for one reason by itself.

24 Does that answer your question, Commissioner?

25 COMMISSIONER MONAHAN: It did. And I think I'll

1 have more questions on the next item.

2 MS. HUBER: Okay.

3 COMMISSIONER MONAHAN: Thank you.

4 CHAIR HOCHSCHILD: Commissioner McAllister, any
5 questions on your side?

6 COMMISSIONER MCALLISTER: I'll just say thanks.
7 I think we have the next item coming up where we'll have
8 some further discussion. But I really appreciate the sort
9 of baseline situation, the context. And just I guess
10 you've got a great team of analysts on this. I mean, Vice
11 Chair Gunda's leadership on this is immense.

12 And, I think also when these critical moments
13 happen, I mean, I think often the public does not see all
14 the people that are scrambling to make sure that all the
15 i's are dotted and the t's are crossed, and that the
16 system's operating well. And these moments actually do
17 have a lot of dedicated professionals behind them trying to
18 keep the lights on.

19 And so I think appreciation of those heat events,
20 maybe isn't quite fully communicated in the moment. I
21 don't want to scare people, but I think that the amount of
22 sort of activity of keeping the system running when that
23 happens is, I think often underappreciated, so these
24 resources are part of that critical mix.

25 CHAIR HOCHSCHILD: Anything else? Vice Chair?

1 Okay. David, thank you so much.

2 With that, we'll turn to Item 6, DWR Investment
3 Plan, and I welcome Delphine Hou from DWR to present.

4 MS. HOU: I've learned my microphone lesson.
5 It's turned on.

6 So good morning, Chair, Vice Chair and
7 Commissioners. My name is Delphine Hou, I'm the Deputy
8 Director of Statewide Water And Energy at the Department of
9 Water Resources. Thank you for having me today. And I'm
10 pleased to present DWR's Investment Plan. Following my
11 presentation. I also have Mr. Matt Baker from the Director
12 of the Public Advocate's Office, who will make a few
13 comments. Next slide, please. Well, I guess the slide
14 after that. Thank you.

15 So as Deputy Director Erne mentioned in his
16 presentation, the Strategic Reserve is comprised of three
17 programs, two of which are at the CEC. And very
18 importantly they look at the demand side and the
19 distributed side. But for DWR, we are focused on the
20 supply side or those grid connected resources.

21 And collectively, the Reserve creates a program
22 that helps California in three broad ways. So first and
23 foremost the Reserve supports our clean energy transition
24 while load serving entities and publicly owned utilities
25 are continuing on their traditional procurement to meet the

1 state's clean energy goals. I'll give you an example.
2 California Public Utilities Commission has authorized over
3 the last few years 18,800 megawatts of clean energy
4 resources through its integrated resource planning process.

5 And to support that procurement their Water Code
6 ensures that DWR is not competing with that procurement as
7 those entities are increasingly challenged with supply
8 chain issues coming out of the pandemic, even weather
9 related issues from winter storms this past winter. So all
10 of that is to create the bulk of the supply side
11 procurement on the clean energy resources, but to ensure
12 that DWR is not competing with them in that task.

13 Second, the Reserve acts as an insurance policy
14 that's triggered when the grid operators anticipate an
15 extreme event on the grid. And as we've seen, that could
16 be heat, drought, flood, wildfire. So as I'll discuss
17 later, the resources under DWR's program are not running in
18 the wholesale market on a day-to-day basis, but rather held
19 back until necessary to respond to such an extreme event.

20 So third, the Reserve protects against those low
21 probability, but very high impact events so that the lights
22 stay on. And because the programs are funded through the
23 General Fund, they do not put additional pressure on our
24 ratepayers. Next slide, please.

25 So as I mentioned DWR's strategic reserve, known

1 as the Electricity Supply Strategic Reliability Reserve
2 Program, is focused on the supply side. We broadly look at
3 kind of three major elements. One is the extension of the
4 operating life of electric generating resources that were
5 planned for retirement. The second one is contracting for
6 constructing new supply side assets. And third, supporting
7 procurement for imported energy above the resource adequacy
8 requirements.

9 Per our Water Code DWR is here today to present
10 the terms, costs, and scope of its investment plan
11 committed since October 31st, 2022, for the Commission's
12 consideration. I'll be talking about the investment plan
13 in two parts. The first part details the current
14 commitments followed by any anticipated future investments.
15 Next slide, please.

16 We have two types of commitments. The first one
17 is professional services. In February 2023 DWR entered
18 into an agreement with Bureau Veritas to secure quality
19 assurance inspection services that are needed to meet
20 project deadlines. The total cost of that is a budgeted
21 amount of up to \$6 million across 2023 to 2026 February.
22 Next slide, please.

23 The second type of commitment we have are our
24 capacity agreements. So as I mentioned in my introduction,
25 the Water Code allows DWR's program to extend the operating

1 lives of electric generators pending retirement to address
2 extreme events. Such an opportunity arose in September
3 2022, when the Statewide Advisory Committee on Cooling
4 Water Intake Structures, otherwise known as the SACCWIS,
5 recommended to the State Water Resources Control Board, to
6 extend the compliance deadline for a number of once-through
7 cooling resources. The extension date would go from
8 December 31st, 2023, through December 31st 2026.

9 The recommendation requires a subset of these
10 resources totaling about 2,800 megawatts to be included in
11 DWR's program to provide grid reliability during extreme
12 events. Without such an extension these resources would
13 retire by the end of this year.

14 Importantly, in the SACCWIS recommendation the
15 CEC, CPUC, and CAISO clarified that these resources would
16 not be considered for resource adequacy capacity. This is
17 a very critical change. And I wanted to provide a
18 comparison of these assets today versus what they could
19 operate under -- what they could operate under DWR's
20 program.

21 So today on the left-hand side in the resource
22 adequacy program, these resources are required to have
23 something called a "must offer obligation" in the CAISO
24 market. And what that means is that these resources need
25 to bid in 24 hours a day, 7 days a week, into the CAISO

1 market to be available to the grid operator.

2 As such, over time, they've had about an annual
3 capacity factor of 2 percent for Ormond Beach, 5 percent
4 each for Alamitos and Huntington Beach as Deputy Director
5 Erne covered. And largely the usage has been in the
6 summertime. So if you think about the capacity factor
7 rating, it looks at the hours across the year. So really
8 only 2 percent of those hours across this year is Ormond
9 Beach actively generating. However much of those hours are
10 in the summertime, typically when we do experience those
11 extreme events.

12 So again, you know, the number of calls or the
13 usage across the year is not very high, but it is there
14 when it is needed, and as needed for the grid.

15 On the other hand by comparison, the DWR's
16 program, the default is off. So that's very critical,
17 because these resources would only be turned on to address
18 extreme events or for maintenance runs, at the direction of
19 the CAISO. And since these units won't be in the CAISO
20 market on a day-to-day basis, like they are today, it's
21 very likely there'll be a reduction in the air emissions
22 and once-through cooling water usage.

23 So I think that's a very important detail that's
24 embedded in the SACCWIS recommendation that I wanted
25 everyone to be aware of. Move on to the next slide,

1 please.

2 So for the capacity agreements, the contracts
3 again were at the recommendation of the SACCWIS and are
4 listed here for the three power plants. And and they were
5 recommended for the term based on the reliability the need
6 of the grid to address extreme events. For each agreement,
7 DWR will pay a fixed monthly capacity payment for each unit
8 to maintain the availability of these resources.

9 So again behind the resources in the power plant
10 there's requirements for having the necessary trained
11 staff, having the maintenance being done so that these
12 resources are ready and available to respond to an extreme
13 event.

14 These capacity agreements also evaluate how well
15 the resources are responding to CAISO dispatch when there
16 is an extreme event and penalties for poor performance.
17 The budget for all three agreements is a total of 1.2
18 billion. But this is a very conservative estimate because
19 it assumes the facilities meet all of their performance
20 targets and incur no penalties under the terms of the
21 agreement.

22 To clarify, the three agreements are contingent
23 on the State Water Resources Control Board actually
24 extending the compliance, the OTC compliance deadline. And
25 the State Water Resources Control Board, they themselves

1 had had a number of public meetings and discourse about
2 this topic. So there was a public meeting back in December
3 of 2022 as well as one in March 2023, to specifically
4 discuss this matter. They took public comments, and in the
5 numerous comments, there were comments from the
6 communities, the firm local labor unions, all supporting
7 the extension to ensure electric reliability.

8 In addition, the State Water Board also took
9 written comments and provided responses to each of those
10 comments. And those are now posted on their website. And
11 they have it scheduled for a vote next week at their
12 business meeting on the 15th.

13 In the meantime I do also want to highlight some
14 of the mitigation measures that the OTC resources have
15 taken. So all of them are in California Air Resources
16 Board Cap-and-Trade Program for Carbon Emissions. There's
17 also participation in South Coast Air Quality Management
18 District's RECLAIM Program. That would also mitigate
19 nitrogen oxides and sulfur oxide emissions.

20 There's impingement and entrainment mitigation
21 with the Ocean Protection Council, California Coastal
22 Conservancy, and the Nature Conservancy for Wetland
23 Preservation. And as Deputy Director Erne had explained in
24 his presentation the community benefits are an agreement
25 that was signed between the Ormond Beach owner, GenOn, and

1 the City of Oxnard, to establish a trust fund that would go
2 towards dismantling the power plant post-decommissioning,
3 and then development of a public access park. That
4 agreement was discussed at the Oxnard City Council,
5 approved, and signed by the Mayor of Oxnard. Next slide,
6 please.

7 So for anticipated future investments looking
8 forward, DWR has issued three requests for information to
9 help prioritize zero and low-emission resources for the
10 program. DWR will be using the RFIs to gain some insight
11 into valuable, viable resources that can come online by the
12 summer of 2024 and beyond. And to ensure that we have
13 resources that will be able to address extreme events and
14 that can be online in that short timeframe. Next slide,
15 please.

16 Finally, DWR is working to extend some existing
17 agreements. These two resources signed, that are currently
18 in the State Power Augmentation Program, they were actually
19 constructed pursuant to the Governor's July 30th, 2021
20 Emergency Proclamation to address that heat event after the
21 Bootleg Fire and will be -- the cost and terms of those
22 negotiations are still pending.

23 And lastly, DWR voluntarily declined to pursue
24 any more diesel generation ahead of the Water Code deadline
25 of July 31st, 2023. Next slide, please.

1 So in conclusion, DWR asked the Commission to
2 approve the Investment Plan Report for the Electricity
3 Supply Strategic Reliability Reserve Program, and provide
4 written notice the Joint Legislative Budget Committee.

5 I want to thank you for your consideration, but
6 before I conclude I would like to invite up Mr. Matt Baker,
7 Director of the Public Advocate's Office, for his comments.

8 MR. BAKER: Thank you, Commissioners. My name is
9 Matt Baker. I'm the Director of the Public Advocate's
10 Office housed at the Public Utilities Commission. We are
11 an independent advocate for utility customers before the
12 Public Utility Commission, as well as other government
13 forums.

14 I am here to support the Department of Water
15 Resources' Investment Plan, because we believe it is in the
16 best interest of ratepayers.

17 I want to make four quick points. First, extreme
18 weather is straining the grid. Second, grid reliability is
19 a public health imperative. Third, the Strategic
20 Reliability Reserve is a pragmatic least cost backstop.
21 And then finally, given the rate of inflation that we have
22 been seeing and the increase in rates, this backstop is
23 something that will not be an undue hit to ratepayers.

24 First, the extreme weather that we have been
25 seeing has been unprecedented. We've seen a lot of data in

1 that. July was the hottest month in history, with the
2 hottest day in history, with records breaking all across
3 the West and in some parts of California.

4 It's too soon to tell right now, but the July
5 20th grid emergency may have been, or at least partially
6 driven by high temperatures, record high temperatures in
7 Arizona and other parts of the West. That's how connected
8 we are to the rest of the West. It's really important for
9 us.

10 Second, grid reliability is a public health
11 imperative. The Public Advocate's Office has a safety
12 branch that is tasked with reviewing every public safety
13 power shut off that happens. And we have documented the
14 impacts of these power shut offs. They include hospitals.
15 They cannot perform surgery on days that there are power --
16 that there are shut offs. Fire units that are unable to
17 pump water, because there's no electricity to move the
18 water. Communications problems, because not enough cell
19 towers have backup power yet, even though we're working to
20 remedy that. As well as the economic and social costs
21 associated with shutting off the power.

22 Third, my third point is the Strategic
23 Reliability Reserve Investment Plan is a pragmatic, and
24 it's an effective reliability backstop. It's important to
25 note as you've seen in the other presentations, that the

1 state is planning and actually purchasing unprecedented
2 amounts of clean energy. Having this Reliability Reserve
3 makes it easier to do that. It allows us to experiment
4 with more technologies that have a lot of potential in the
5 future that may not be ready today.

6 And I also want to say my team has done an
7 analysis of many of the alternatives. And we kind of
8 arrived at this position, because we don't believe that
9 those alternatives are ready today, or for the next two or
10 three years, even if they are the things that we are going
11 to be relying on in the future.

12 And I would put demand response in that category
13 as well. It's something that has enormous potential. But
14 we are still learning how to use it. And having the
15 Reserve allows us to experiment more with technologies like
16 that. I also put offshore wind, geothermal. These are
17 things that aren't going to be ready in the next two or
18 three years, which is the time period for this plan.

19 And I think if you look at other countries that's
20 why other countries, like Germany, has adopted similar
21 strategic reserves for their fossil fleet or for parts of
22 their fossil fleet. The idea is that removing fossil from
23 market pressure and only using it as emergencies is part of
24 a climate strategy that will allow us to exit fossil fuels.

25 Finally, my last point is this backstop does not

1 increase pressure on rates. And I think that's
2 extraordinarily important right now. It's funded by the
3 State General Fund. We're very appreciative of that.

4 I think, equally important though it avoids
5 competing with the resources that we use on a day-to-day
6 basis. It doesn't compete with solar, it doesn't compete
7 with wind, it doesn't compete with batteries. It doesn't
8 take these resources and put them in a reserve that we're
9 only going to use for our emergencies and thereby drive up
10 the price of those other resources as well.

11 And I want to conclude with a couple of things.
12 This is while we support this investment plan, it is very
13 difficult. My office has historically supported retiring
14 these assets, and the resource plans that those retirements
15 have been contained in there. But the events of the last
16 few summers have really jolted the Public Advocate's
17 Office. And we have changed a number of really kind of
18 foundational positions.

19 We now support increasing the Reserve margins,
20 because we're going to -- we need to do that. We have
21 supported drastically increasing procurement of clean
22 energy resources, because we need to do that. And we also
23 now support the Strategic Reliability Reserve for those
24 similar reasons.

25 I will say we will continue to monitor the data

1 as it comes in and when we believe we can back off of these
2 resources we will happily do so. With that, I'm going to
3 thank you for your time and turn it back over to DWR.

4 MS. HOU: Thank you for your comments.

5 Actually, that concludes my time. Thank you.

6 CHAIR HOCHSCHILD: Thank you so much, Delphine
7 and Matt.

8 With that we'll turn to public comment unless do
9 we want to do some questions? Okay.

10 VICE CHAIR GUNDA: Delphine (indiscernible) just
11 a couple of questions. Could you just state for the record
12 the total amount of money that DWR has for the totality of
13 the reliability purposes, and how much has been spent and
14 how much is earmarked for what purposes? Thank you.

15 MS. HOU: So let me try to do this off the top
16 off my head. We have about 2.37 billion, so about 1.2 as I
17 mentioned in the presentation has been earmarked to support
18 the once-through cooling units. So the remainder of the
19 amounts has been split amongst activities that were
20 completed last summer that we may not re-up again.

21 But that also includes support of additional
22 generation, the two that I had mentioned here: the State
23 Augmentation Power Program and extension of those two units
24 as well as last year we had supported additional imports
25 above the resource adequacy amounts. So also with the

1 remainder of the budget we are also looking at additional
2 opportunities. We have three under construction currently
3 that we're hoping to online by this year. As well as, as I
4 mentioned in the RFI, with additional budgeting if we have
5 any leftover we want to pursue additional opportunities on
6 the clean side.

7 But again it's a fine line because we want to
8 pursue those activities or those resources, but make sure
9 that we are not competing with the actual load serving
10 entities who are also actively searching for clean energy
11 resources. So that, what I haven't mentioned is also the
12 various support contracts like the Bureau Veritas contracts
13 that I mentioned today, that would support DWR in bringing
14 those capacities to fruition.

15 VICE CHAIR GUNDA: You mentioned, out of the 1.2
16 billion roughly that you are contracting for, for the OTC
17 power plants, you said that's the worst case scenario.
18 Could you just expand on that one little bit?

19 MS. HOU: Sure. So for each of the resources,
20 they're actually provided on a monthly basis. So that's
21 kind of the timeframe for judgment on performance. So for
22 each month we would evaluate whether these resources are
23 following CAISO dispatch if there should be an extreme
24 event, how well they do it.

25 So I think in an example in the prior

1 presentation, if for example CAISO wants the resources to
2 turn on because we're in the middle of an extreme event and
3 they have an outage. That outage would account against
4 their expected performance, because the CAISO expects them
5 to be fully on to help with the extreme event. And to the
6 extent they have an outage for any reason that is within
7 their control, then they will have to -- that will trigger
8 the penalty provisions.

9 And as Deputy Director Erne mentioned, these are
10 older plants. We can do a lot of preventative maintenance
11 to make sure they're ready and available. But because they
12 are older there will be that margin. But we want to
13 incentivize these resources to be as ready as possible.
14 Because we could need them for above the regular planning
15 reserve margin in terms of high demands or other
16 emergencies that we would see. So again that's the penalty
17 side.

18 If they do perform extremely well there are
19 bonuses for good performance. And so again, that 1.2
20 billion budget assumes that there is never a penalty
21 incurred, because they've followed CAISO dispatch so well
22 that they're also receiving the bonus payments.

23 VICE CHAIR GUNDA: Thank you, and just a couple
24 more questions. When we had conversations with the
25 community advocates, one of the things that was pointed out

1 was safety and viability of the operations. What, if any,
2 DWR has done in the contracting process to ensure the
3 performance exists, but also the safety and viability of
4 the units? Thank you.

5 MS. HOU: Sure. We're working very closely with
6 the generators to review all of their maintenance plans.
7 And that safety goes hand in hand with that. So we've had
8 not only discussions, but onsite visits. We understand the
9 CPUC audits the resources as well, so we would take those
10 audits very seriously. And we want to be able to see if
11 there's anything turn up in the audits, what corrective
12 action they've taken. And to ensure that these plants are
13 ready.

14 But kind of a variation on the safety theme, one
15 of the reasons why we wanted to make sure we were able to
16 contract with these resources is because they were on the
17 pathway for retirement. What is fairly critical is making
18 sure there's also experienced staff available to operate
19 these resources. Because they're of an older vintage,
20 sometimes there is a sort of institutional knowledge that
21 needs to be kept on to make sure that everyone knows what
22 each, every single button does.

23 And so we found that they have a good highly
24 trained crew, very experienced. We want to make sure they
25 stayed on so that the plants are operated at the maximum

1 capability.

2 VICE CHAIR GUNDA: Thank you, and last question.
3 So I now recognize -- and being vulnerable as Terra
4 mentioned earlier -- that we could have done better on the
5 community engagement side. I mean, at least I could have
6 done better. But what has been done through DWR and any
7 other processes in engaging not just with the city, but the
8 broader community at large? What were the steps taken? If
9 not, what are the things that missed? Anything that you
10 can comment on? Thank you.

11 MS. HOU: Sure. I think that's something we can
12 continue to improve on. And I think for our mandate we
13 were really focused on the reliability need of these
14 resources. And so we typically would partner and attend
15 the various avenues where this issue was being discussed.
16 For example, the SACCWIS meetings, for example, the State
17 Water Board meetings.

18 And the public comments we had heard here, were
19 largely unsupportive of extending the OTCs. I do recall,
20 even back in September 2022, there was one gentleman who
21 commented and said, "Look, I'm a small business owner. I
22 don't want the lights out in my community." And it
23 disproportionately affects disadvantaged communities. So
24 he spoke of his own volition at that open meeting, to kind
25 of give from his perspective, what the impacts could be.

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1 And so there was support there to have the OTCs, to help
2 the state with additional insurance in case of extreme
3 events.

4 VICE CHAIR GUNDA: Sorry, so like last -- I said
5 last question, but I just have one question based on the
6 end responses. When you tried to develop the investment
7 plan -- so I first want to recognize DWR staff, the
8 incredible work that you have done the last couple of years
9 in keeping the lights on, and collaborating with the state
10 agencies in ensuring that we're all hands on deck. So I
11 just want to recognize that.

12 And I also want to recognize that from the
13 justification of needing more resources it's not just DWR,
14 it was a collective action of CEC, CPUC, DWR, and CAISO.
15 So I just don't want to put that all around DWR, so it was
16 a collective staff recommendation.

17 The one piece that DWR has done, as you were
18 thinking through, is to think about one, two, or three-year
19 extensions of these resources. And so I'm guessing that
20 one, two, three years was largely predicated on the need
21 that you've seen or any other things that went into the
22 discussion.

23 MS. HOU: Yeah, thank you for the question. So
24 actually, the years of need was derivative of the SACCWIS
25 recommendation. So the SACCWIS recommendation looked at

1 the reliability need of these resources. And again,
2 whether the resources were all needed for three years or
3 one year or what have you, again DWR, we're here to support
4 the state in administering this program. But from the
5 reliability question, we really defer to folks like the
6 SACCWIS to make that determination.

7 So in the actual recommendation from the SACCWIS,
8 it was an extension for all three units for the full three
9 years to December 2026. And I think the way it was
10 proposed as a State Water Board, State Water Resource
11 Control Board staff recommendation to the Board, is that
12 the extension would occur only if it came to the Reserve in
13 the recognition that these resources would be default off.
14 And they would only be turned on during an extreme event.
15 So I think having those two hand in hand is how we landed
16 here today.

17 But again, the full three years and the number of
18 plans for which plants it were, was really derivative of
19 the SAACCWIS recommendation.

20 VICE CHAIR GUNDA: Why was Redondo left out --
21 could you just state for the record -- for extension?

22 MS. HOU: Yes, of course. From our understanding
23 there were some complexities in the land in terms of who
24 the actual owner was. I think that would have been very
25 difficult for DWR to enter into any agreement with the

1 generator if we didn't have security or assurance of having
2 that legal issue clarified. Because otherwise, it would
3 get -- become a very, very messy entanglement.

4 So I think from there even SACCWIS -- I think
5 there's a recognition we need all the resources we can get
6 for the reserves for these extreme events, but we also
7 didn't want to walk into a legal entanglement. So the
8 recommendation from the SACCWIS was to leave that unit
9 behind.

10 VICE CHAIR GUNDA: Thank you. Thank you so much
11 for all your work.

12 CHAIR HOCHCSHILD: Thank you so much, Delphine
13 and Matt.

14 With that, we'll turn to public comment on Item
15 6. We have about 30 individuals wishing to make a comment.
16 We will stay as long as it takes for everybody's voice to
17 be heard. I'm sorry, was there additional (indiscernible).

18 Oh, Elizabeth, were you going to make remarks as
19 well?

20 MS. HUBER: I was going to respond to
21 Commissioner Monahan's quick question.

22 CHAIR HOCHSCHILD: Yeah, sure.

23 MS. HUBER: Absolutely, thank you. So to answer
24 your question, because if we can do it at the public
25 meeting we felt it was better. But I want to first let you

1 know that both representatives from AES and GenOn are here
2 on the phone. And are happy to answer any additional
3 questions you may have before public comment.

4 But with the AES, Huntington Beach, they actually
5 did have a trip to their feed water flow meter. And
6 because of that, it had to come offline to address and then
7 it takes 30 to 36 hours to get back online. So that's why
8 it looked like it was on for a few days.

9 And then for the Ormond Beach. It was off from
10 the, as you identified from August 31st to September 3rd.
11 And they also experienced trouble with their valve controls
12 and had to take the unit down. And again, it took 30 to 35
13 hours to get back online once it was addressed. But again
14 they're online if there's specific questions from any of
15 you.

16 COMMISSIONER MONAHAN: Thank you. I really
17 appreciate that. And I think I want to withhold any
18 comments or questions until we hear public comment.

19 CHAIR HOCHSCHILD: Yeah, let's go to public
20 comment.

21 Mona, over to you.

22 MS. BADIE: Thank you. This is Mona Badie, the
23 Public Advisor at the California Energy Commission. The
24 Commission now welcomes public comment on Item 6.

25 There are a few ways to let us know that you'd

1 like to make a public comment. One is if you're in the
2 room, to use our QR codes, to sign up for public comment
3 there. If you are on Zoom, we ask that you use the raise
4 hand feature on your screen if you're online, to notify us.
5 And if you're joining by phone, please use -- press *9 to
6 raise your hand so we can know that you'd like to make a
7 comment.

8 And out of respect for all our attendees, we are
9 going to be keeping to the two-minute comment timeframe for
10 public comments. And we're also, in line with all of our
11 business meetings, we're asking for one speaker per entity.
12 And also, I'm going to ask for your patience, because we
13 expect to be able to hear from everyone. But I'm going to
14 be toggling between a few different sources of commenters,
15 so just bear with me here.

16 Okay, first I'm going to ask Oxford City Manager,
17 Alex Nguyen. I'm going to open your line, Alex. Please
18 spell your name for the record, and you may begin.

19 MR. NGUYEN: Thank you. Alex Nguyen, last name
20 is N-G-U-Y-E-N, same as Smith.

21 So I want to start by saying, we understand
22 statewide needs all right, in this circumstance, the grid
23 reliability. For us, it's similar to the state's housing
24 crisis and the statewide homeless crisis. And we
25 understand that there are at times state mandates, some of

1 which local communities like, and many of which we don't
2 like. But we understand that it's important to
3 participate.

4 Now, in the Oxnard context, you've heard the
5 details about the two agreements that we've made with
6 GenOn. But I want to be clear that -- because it sounded
7 like they sent it to us with a nice bouquet, which is not
8 what happened. We had to negotiate those. And then our
9 City Council in public meetings, discussed those agreements
10 and voted on them in open public meetings.

11 We at the local level have to rely on the work of
12 state agencies such as the Energy Commission, the Water
13 Resources Board, as well as CPUC. So we trust that when
14 you guys are telling the rest of the state what the needs
15 are, that those are the needs, and we have to live with
16 that.

17 So your public process, we respect, and I ask
18 that you respect our public process that our City Council
19 went through. We don't like having another extension, but
20 we also had to negotiate for some benefits. And I want to
21 end by just pointing out the bitter irony for local
22 communities like ours. While the state has the authority
23 to mandate decommissioning of such power plants, it never
24 requires the dismantling of them. And that's why we were
25 left in the position to make these agreements, so that we

1 could ensure when the closure happens that the power plant
2 actually comes down. Thank you.

3 MS. BADIE: Thank you for your comment.

4 Next, we have Eric Stokes.

5 MR. STOKES: Good morning, Commissioners. Eric
6 Stokes, Advisor to Commissioner Noemi Gallardo. The
7 Commissioner asked me to read in a statement she prepared.
8 So her statement is:

9 "Dearest public and fellow Commissioners, I'm
10 sorry I can't join you today. Today is my 10-year
11 anniversary being with my partner, and we are celebrating
12 on a family vacation we planned before I was appointed
13 Commissioner.

14 "First, thanks to Delphine Hou and the DWR team,
15 for briefing me and to CEJA, CAUSE, CBE, Sierra Club, and
16 GenOn, for reaching out to discuss implementations of the
17 DWR Investment Plan.

18 "I have a personal connection to Agenda Item 6,
19 because I was born and raised in Ventura County and
20 encountered the Ormond Power Plant when I was a little
21 girl, trying to figure out what the big structure was on
22 the beach. My parents did not know either. Although
23 sharing the story exposes how ignorant we were I tell you,
24 because like my family too many people living near fossil
25 fuel facilities do not understand their functions or

1 effects. I heard from Ventura County residents, for
2 example, that they hear noises, and feel vibrations when
3 the Ormond unit is on, not knowing whether those are
4 indicators of the unit functioning normally or about to
5 explode. That is frightening.

6 "I am concerned about the current version of the
7 DWR Investment Plan. Our joint agency effort did not
8 conduct sufficient direct engagement with the communities
9 closest to, and most affected, by the OTC units. The
10 current plan forces those fence line residents to take one
11 for the team without adequately informing them about our
12 process, goals, and the effects on them.

13 "State agencies have a duty to inform, educate
14 and engage the public in a consistent and meaningful way
15 about our programs, especially those that have health
16 impacts. We must educate the general public about the
17 state's efforts to maintain a reliable grid and prepare for
18 extreme weather events.

19 "Most importantly, we should provide resources to
20 fence line communities of the OTC units. At a minimum, we
21 should disseminate information about who to contact with
22 questions or concerns about the OTC units, along with
23 establishing clear notifications via text, phone call, or
24 other methods to fence line communities when the units will
25 turn on and operate, preferably with advance notice.

1 "In conclusion, I commit to working with my peer
2 agency colleagues to help increase deployment of clean
3 megawatts and developing even more demand response
4 opportunities to enable Californians to have the option to
5 take one for the team. In the past Californians have
6 stepped up. I have faith they will again. Thank you."

7 MS. BADIE: Thank you.

8 Next, we have Senator Stern. Senator Stern,
9 please unmute on your line.

10 SENATOR STERN: Yeah, hi. Am I coming through,
11 okay?

12 MS. BADIE: Yes.

13 SENATOR STERN: I can turn on my "no camera"
14 here, right?

15 MS. BADIE: I would have to promote you and it
16 might take a bit.

17 SENATOR STERN: You can skip over. Let's go to
18 community or whoever else is here. I'm happy to wait a
19 minute.

20 MS. BADIE: Okay, did I hear -- you said you
21 wanted to wait?

22 SENATOR STERN: Yeah. We can defer, and I'll
23 wait for video. And then you can go to the community or
24 whoever else is in the room.

25 MS. BADIE: Okay, thank you.

1 Okay, so next we'll go to folks in the room.
2 First, we have Diana Cassady. Diana, if you can approach
3 the podium, make sure the green light is on. Please limit
4 your comments to two minutes or less. And please spell
5 your name for the record, and any affiliation as well.

6 MS. CASSADY: Hello. My name is Diana Cassady,
7 D-I-A-N-A C-A-S-S-A-D-Y. Good morning, Commissioners. My
8 name is Diana Cassady. I live here in Sacramento. And I'm
9 with Third Act, a local chapter of a national organization
10 of elders. And we're about 60,000 strong and we're very
11 concerned about climate change.

12 We are all well aware in Third Act, that we're in
13 a climate emergency. And it's no surprise that our motto
14 is "No time to waste." As you know, I'm speaking on Agenda
15 Item 6, and we strongly oppose the continuation or the
16 extension of the three power plants in question.

17 I'm here because Third Act members are deeply
18 concerned about climate change, its impact on us, on
19 elders, on our children and our grandchildren, and on low-
20 income communities that historically have suffered more
21 from pollution and rising temperatures. The only
22 appropriate response to the climate emergency is to stop
23 burning fossil fuels. Closing these three plants as
24 scheduled is an important start.

25 Furthermore, last week's heatwave showed us the

1 gas-powered plants did not stabilize the electrical grid as
2 anticipated. It was additional electrical storage and us,
3 Californians, that stabilized the grid. Within 45 minutes
4 of receiving a text alert we reduced our energy demand by
5 2.6 gigawatts. That's about the same amount as these three
6 plants would generate. But that would take hours, as much
7 as 30 or 36 hours, as you just heard.

8 I'm asking the Energy Commission to commit to the
9 original timeline of retirement for the three OTC plants by
10 December 31st, 2023, which environmental justice advocates
11 and community members have fought hard for. Thank you for
12 the opportunity to speak today.

13 MS. BADIE: Thank you for your comment.

14 Next, we have Sally Kalaghan in the room. Sally,
15 if you could spell your name, state your affiliation, and
16 keep your comments to two minutes or less, please.

17 MS. KALAGHAN: Sally Kalaghan, K-A-L-A-G-H-A-N.
18 I'm with numerous organizations, but for this one I'll just
19 use XRA Sacramento. Thank you for what you're doing for
20 our state. I think it's important that instead of being
21 reactionary and frightened people, that we look at our
22 leadership and say let's go forward.

23 1.2 billion to try and fix something that we
24 might need, because we're all scared, is not using our
25 funding I feel in an appropriate way. We only have a given

1 amount of time to turn back all -- well, I don't need to go
2 into climate chaos with you. You understand the urgency of
3 it.

4 I feel in your position, listening to all these
5 experts saying that we need to keep these on the grid
6 somebody needs to be thinking, well three years from now,
7 who's going to have the chutzpah to take these off. Are
8 any one of you? They're going to present the same
9 arguments.

10 I ask for people to look at their souls and think
11 about what's going to happen to their children and their
12 world. All these things will add up. I strongly advise
13 you to please not extend for three more years. Thank you.

14 MS. BADIE: Thank you.

15 Next we have Lucia Marquez. Lucia, if you can
16 approach the podium, please spell your name for the record,
17 state your affiliation. And keep your comments to two
18 minutes or less, please.

19 MS. MARQUEZ: Good morning. My name is Lucia
20 Marquez, L-U-C-I-A M-A-R-Q-U-E-Z. I am the Associate
21 Policy Director with CAUSE, a grassroots community
22 organization that organizes environmental justice
23 communities in Ventura County, where the number one source
24 of air pollution is the Ormond Beach Generating Station.

25 That's the number one source for air pollution in

1 the county. Imagine what that's like for people who live
2 right in front of the plant in Oxnard. And let's not
3 forget that Oxnard is the county's most densely populated
4 community of color, that experiences 94 percent more
5 pollution than the entire state.

6 Our community has been fighting for decades for
7 clean air, a basic human right. And we're tired. We're
8 tired of asthma and cancer plaguing our neighborhoods.
9 We're tired of the broken promises that this will be the
10 last extension. And we're tired of being sacrificed while
11 fossil fuels makes millions.

12 I come here today with over 1,000 signatures on a
13 petition from community members that I want to give to you
14 this morning, where they are asking you to reject this
15 proposal. There's already a plan in Oxnard to decommission
16 and dismantle the Ormond Beach Generating Station. And the
17 only thing standing in the way of that happening is your
18 vote today.

19 Three years ago in good faith we did not oppose
20 this extension, but here we are having the same
21 conversation. For the last month we've been asking, "What
22 guarantee does the community have that this will be the
23 last extension?" And I'm still waiting for that answer.
24 Who's to say that in three years, we're going to be having
25 this conversation again?

1 You have a responsibility to create a pathway to
2 zero emissions, and undo the injustices in our environment,
3 in our community health. And to do them you need to reject
4 this proposal for DWR to contract these extensions for an
5 additional three years. And if I can, could I hand this to
6 you? Thank you.

7 MS. BADIE: Thank you.

8 Next, we have Roselyn Tovar. Roselyn, if you
9 could approach the podium. Please state and spell your
10 name for the record and any affiliation, thank you.

11 MS. TOVAR: Hello, my name is Roselyn Tovar, R-O-
12 S-E-L-N T-O-V-A-R, and I'm a resident of Los Angeles and
13 with Communities for a Better Environment. I am opposed to
14 the CEC allowing the extension of the Ormond Beach
15 Generating Station, the AES Alamitos, and AES Huntington
16 Beach power plants.

17 I care deeply about this issue from seeing the
18 negative health impacts the burning of fossil fuels has
19 directly had on my family and community from asthma to
20 cancers to heart disease. A few years ago, my father was
21 diagnosed with cancer and his doctors linked it to his
22 proximity to fossil fuel operations.

23 As an outreach coordinator, I would constantly
24 hear about asthma attacks, nosebleeds in children and
25 families living in the air pollution hub of Wilmington,

1 California. And the same thing is happening in other low-
2 income communities of color like Oxnard. Because of this,
3 I know the importance of phasing out fossil gas, like OTC
4 power plants, frontline communities continue to be ignored
5 by decision -- cannot continue to be ignored by decision
6 makers. And they like everyone else, have a right to clean
7 air.

8 During the last year's heat wave, gas plants
9 failed to deliver promised power and heavily polluted our
10 air. The gas fleet suffered curtailments and the rates
11 averaging 5,000 megawatts during peak demand. On average
12 nitrous oxide, carbon dioxide, and sulfur dioxide pollution
13 from gas plants across the states were 60 percent higher
14 from August 21st to September 9th compared to baseline.

15 I'm asking the Energy Commission to commit to the
16 original retirement timeline and shut down all three OTC
17 power plants by the end of the year. To reject the
18 proposal for a three-year extension, and to invest in a
19 reliable clean energy solutions like distributed solar and
20 storage, micro grids demand response, and not spend
21 billions and polluting fossil fuel infrastructure that
22 further perpetuates environmental racism. Thank you for
23 your time.

24 MS. BADIE: Thank you.

25 Next, we have Mari Rose Taruc. Mari Rose, if you

1 can approach the podium, please spell your name for the
2 record, and announce your affiliation. Thank you.

3 MR. TARUC: Hello, Mari Rose Taruc, M-A-R-I R-O-
4 S-E T-A-R-U-C. I bring the energy of tens of thousands of
5 black, indigenous, Latinx, and Asian leaders across the
6 state that unite as the California Environmental Justice
7 Alliance. And we're proud to stand with Sisters from CAUSE
8 and CBE and Sierra Club, that make up the Regenerate
9 California Campaign. And our big vision to see the
10 retirement of over 200 dirty gas power plants in the state
11 of California. And we are joined by a chorus of more than
12 60 organizations in the letter opposing the extension of
13 these three OTC gas plants.

14 The CEC seems to pride itself in clean energy
15 planning, and environmental justice communities are still
16 waiting to see those clean energy programs for us. So why
17 is it that right now we see you with this option on the
18 table to go backward, to extend the life of these dinosaur,
19 dirty gas power plants? Are you going to be proud of that?
20 These three OTC plants are supposed to close this year.
21 And us in the community, do you know how hard it is for
22 black and brown folks to get these OTC -- these dirty gas
23 plants to actually get planned retirement? It takes a lot
24 of organizing.

25 And I think about Lucia, and Roslyn and there's

1 going to be a lot more young women of color who are going
2 to speak to you today, to urge you to choose to move us
3 forward in those clean energy plans and not backwards in
4 these dirty gas power plants. And so that's what we urge
5 you to do, is to move our communities, especially those who
6 are most impacted by these dirty gas plants. Choose
7 environmental justice for our communities and not sacrifice
8 us by rejecting these OTC plants.

9 MS. BADIE: Thank you.

10 Next we have Teresa Cheng, Teresa, if you can
11 approach the podium, please spell your name for the record.
12 And we're asking commenters to limit their comments to two
13 minutes or less.

14 MS. CHENG: Great, good morning. My name is
15 Teresa Cheng, T-E-R-E-S-A C-H-E-N-G, and I'm speaking on
16 behalf of the Sierra Club today.

17 So as I mentioned I'm speaking today on behalf of
18 the Sierra Club and our more than 500,000 members and
19 supporters across California. And like our allies and EJ
20 brothers and sisters before us, are urging you to vote no
21 against the DWR Investment Plan today, both the extension
22 of OTC plants that are scheduled to retire, and also new
23 procurement of fossil fuel generators that were mentioned.
24 And we really urge you to instead invest that \$1.2 billion
25 in clean energy and especially local reliable resources

1 that will directly displace gas or decrease gas generation,
2 and especially load shifting and demand side resources.

3 So I do want to mention, we're encouraged to see
4 the CEC's 7 gigawatt load shifting goal, and also that DWR
5 did put out an RFI for clean energy zero emission backup
6 resources. But we need to be investing so much more
7 ambitiously in these demand side solutions, instead of
8 continuing to rely on fossil fuels as a backstop
9 reliability resource.

10 \$1.2 billion for three unreliable plants that
11 will run for a handful of days and take more than 30 hours
12 to fire up, is simply a bad investment. How is a resource
13 that takes over 30 hours to fire up going to help us with
14 grid reliability in the case of a wildfire? It's hard to
15 understand. We're under no illusion that this transition
16 will be easy, but we believe there's so much more we could
17 be doing with clean alternatives. Demand Response programs
18 are not untested technologies, they're proven solutions
19 that need to be dramatically scaled up. And it can't be
20 easier to build out three brand new fossil gas plants in
21 the DWR Investment Plan, than it is to scale up these
22 solutions.

23 Thank you so much for hearing us today. And I
24 urge you to vote no.

25 MS. BADIE: Thank you.

1 Next in the room, we have V. John White. If you
2 can please approach the podium, please spell your name for
3 the record and any affiliation. We are asking for comments
4 to be two minutes or less.

5 MR. WHITE: Thank you. Good morning,
6 Commissioners. I'm V. John White, V. J-O-H-N W-H-I-T-E.
7 I'm with the Center for Energy Efficiency and Renewable
8 Technology. And I'm here today to join in opposition to
9 this proposal, and to express my profound disappointment at
10 the failure that this proposal represents.

11 This administration and the one previously has
12 known about these retirements. They were supposed to be
13 accomplished 10 years ago and have been delayed. In the
14 case of Ormond Beach the impact on the community is
15 devastating. This is a community that has been burdened
16 with other environmental justice impacts. And this plant,
17 look at the data and see how it runs. To rely on gas
18 plants that are 50 years old to prevent heat storm outages
19 makes no sense.

20 The other thing is I took some note of Matt
21 Baker's observation that this is a time to experiment, and
22 that we have this money and it doesn't hurt the ratepayers.
23 But the problem with the experiment is that it's at the
24 expense of the communities that can least afford to deal
25 with it.

1 The biggest missing piece here, has been and will
2 continue to be, failure to act on demand flexibility and
3 demand response. We have half the demand response that we
4 had five years ago. And the reason is because the PUC
5 staff has an inbred hostility to demand response and to
6 demand flexibility, and would rather spend taxpayer,
7 ratepayer money, propping up gas plants rather than using
8 the imagination and the skill that is otherwise available
9 to us to execute a plan so that we're never doing this
10 again.

11 This is a series of broken promises. And it's
12 time for those promises to be honored, and for California
13 to act on the rhetoric.

14 The other thing I'd mentioned is, this analysis
15 about they didn't violate the ambient air quality
16 standards, when a single power plant can cause a valid
17 violation of that ambient air quality standards. That's no
18 protection, particularly when Governor Newsom has exempted
19 all these plants and waived all the air quality
20 requirements. That's two executive orders ago, okay?

21 So this is not a good answer. I apologize for
22 being disappointed in you all because I'm --

23 MS. BADIE: Can you please wrap?

24 MR. WHITE: -- proud of this institution, but I'm
25 -- thank you for your time.

1 MS. BADIE: Thank you.

2 So that's everyone in the QR code, but I want to
3 just give a look around the room to see if there's anyone
4 else in the room who wants to make a comment before I move
5 to our Zoom attendees? Okay.

6 So next we'll go to Zoom. Odette, I understand
7 you have some folks with you in your office that would like
8 to make comment, and I'm going to toggle between your
9 office and our other Zoom attendees. So first I'm going to
10 open the line for you and I'll call on the folks by name.
11 Again, we're asking people to spell their name for the
12 record, state any affiliation and limit your comments to
13 two minutes or less.

14 Odette, you'll need to open the line.

15 MS. MORAN: Got it.

16 MS. BADIE: Okay. And first, we have Marbely
17 Cruz.

18 UNKNOWN SPEAKER: Hello, I am speaking for
19 Marbely.

20 MS. BADIE: Go ahead, thank you.

21 UNKNOWN SPEAKER: Okay.

22 "I attend Oxnard Middle College High School and
23 I'm an Oxnard resident. I'm speaking on Agenda Item Number
24 6. And I'm opposed to the extensions of Ormond Beach,
25 Alamitos, and Huntington Beach power plants. I care about

1 this issue because I live in Oxnard and the air quality
2 pollution from gas plants affects me and my family because
3 it causes health problems. And it makes me feel scared for
4 the young kids who also attend an elementary school,
5 Haycox, that is less than one mile away from the power
6 plant.

7 "I have two friends who have asthma and live near
8 the power plant. They have a younger sister who attends
9 the elementary school Haycox, and I fear for her health.
10 Their family should have access to clean air and healthy
11 lungs. They deserve it. They can't move, because of the
12 rent, but they should still have access to a clean
13 environment.

14 "During last summer's heatwave and emergency
15 proclamation the Ormond Beach generating station was
16 running at full capacity emitting an estimated eight times
17 more pollution while failing during peak demand hours. The
18 community heard noises around 3:00 a.m. and they panicked
19 and got scared. Some even went out of their house and went
20 out to see what that noise was about. They also called the
21 local police to see what was going on. Everyone,
22 especially the families and people living on the front line
23 of these unreliable polluting power plants has a right to
24 clean and healthy air, we should not sacrifice our lungs.

25 "You see so many people are opposed to the

1 extension of the power plant, so why give it the extension?
2 If it was supposed to shut down in 2020 why extend it? The
3 power plant is old and pollutes the air. It isn't helping
4 anyone but contaminating the air. Please shut down the
5 power plant and not extend it. It affects the community's
6 health and extending that will mean more people will get
7 asthma, cancer and heart disease. This is why I'm asking
8 to retire the power plant on December 31st, 2023. Thank
9 you."

10 MS. BADIE: Thank you.

11 Next we'll go to Senator Stern. Senator Stern,
12 if you want to show your video, thank you, and unmute on
13 your end.

14 SENATOR STERN: Thank you so much. My name is
15 Henry Stern. I'm the Senator for Southern California,
16 including Ventura County. I chair the Legislature's Joint
17 Climate Committee. And I'm here today in an unfortunate
18 position.

19 I appreciate all the time the Commission has put
20 in on this sort of scramble to the vote and doing
21 accelerated engagement here and getting some kind of public
22 process at least in place. You know, if it had occurred
23 another way it feels like DWR might have just signed this
24 deal and stamped it and sent it off to the Waterboard. I
25 appreciate at least your willingness to expose yourselves

1 to the significant concerns from the community and from the
2 broader clean energy community at large.

3 This is a really tough moment in California
4 energy policymaking, and I helped negotiate the AB 205 and
5 SB 846 deals that resulted in this legislation. And my
6 central concern is that this extension and the process
7 behind it from the Department of Water Resources really
8 contravenes the Governor's commitment to the Legislature
9 and that legislation itself that said OTC extension would
10 be a last resort. We wouldn't be defaulting to fossil
11 fuels. And yet the diligence done on this deal, and the
12 lack of clean energy and demand side corollary to this
13 proposal leaves the DWR proposal lacking and frankly out of
14 step with where the Governor ostensibly is, and where the
15 Legislature certainly is.

16 You know, Senator Limon and Assemblymember
17 Bennett submitted a specific letter on behalf of their
18 communities, but I've been working directly with the Los
19 Alamitos area's members, all the AES, Huntington as well.
20 And there's a forthcoming letter that the Senate Budget
21 Committee and Environmental Quality and Water is going to
22 be sending as well to look at something more holistic here,
23 because it's very cold comfort to have the first dollars
24 out the door go towards gas.

25 Having taken a look at the site in Ormond itself

1 we still don't have an estimate of how much capital is
2 going to be sunk into this that will sort of just be lost.
3 Not an operation, not an operational side, but pulling out
4 a rusty old powerhouse and valves and overhauling them.
5 How much is that going to cost? We haven't been given that
6 information.

7 There's a lot of other unanswered questions. I
8 know I'm out of time here, but we would be urging you to
9 articulate a real clean energy plan here and articulate for
10 the community some path forward that aligns better with our
11 statewide goals. And so for that reason, I'd ask you to
12 delay the decision today and come back to the community and
13 all of California with something we can all be proud of.

14 My Aliso Canyon that's in my backyard is going to
15 feed these plants. We're all going to be hurting as a
16 result of this re-fire, so hope you'll take a second
17 thought about it. Thank you so much.

18 MS. BADIE: Thank you.

19 And next we're going to go back to the room with
20 Odette. Odette, if you can open your line again. Next we
21 have Angeles Garcia.

22 MS. GARCIA: Yes, thank you.

23 Hello, my name is Angeles Garcia, A-N-G-E-L-E-S,
24 Garcia G-A-R-C-I-A. And I'm an Oxnard resident. I'm
25 speaking on Agenda Item Number 6. And I'm completely

1 opposed to the extensions of Ormond Beach, Alamitos, and
2 Huntington Beach power plants. And my parents arrive from
3 work after hours and hours of intense labor in the fields
4 to just breathe clean air, but it's a privilege they seem
5 to be unfit for because they're immigrants, because they're
6 low-income, because they're Mexican. Our entire country
7 sees them as these labels before they even begin to see
8 them as human beings. The same goes for entire areas of
9 people that are completely disregarded by officials.

10 Why must our community suffer because our state
11 doesn't have the strength to admit that these power plants
12 are hurting us? They are releasing enormous amounts of
13 chemicals into our air, damaging our health in the process
14 for absolutely no reason.

15 During the power outages of last year these power
16 plants were turned on to operate at 100 percent despite
17 being incapable of to support California. However, these
18 power plants failed to power the estimated 3 million homes
19 they were supposed to. In short, our health is being
20 sacrificed in vain.

21 I'm asking the Energy Commission to reject the
22 proposal to extend the three OTC for another three years,
23 commit to the original timeline, and retire the three OTC
24 plants by December 31st, 2023, which environmental justice
25 advocates and community members fought hard for. Thank

1 you.

2 MS. BADIE: Thank you.

3 Next we have Elizabeth Ortiz. Elizabeth, if you
4 can spell your name for the record when you make your
5 comment.

6 MS. ORTIZ: Hello, my name is Elizabeth, E-L-I-Z-
7 A-B-E-T-H, Ortiz, O-R-T-I-Z. Okay. I am an Oxnard
8 resident. I'm speaking on Agenda Item Number 6. And I am
9 opposed to the extension of Ormond Beach, Alamitos and
10 Huntington Beach power plants. I grew up in the West
11 Elements apartment block less than a mile away from the
12 power plant. I spent the majority of my life playing tag
13 and hide-and-seeK inhaling fresh oxygen, or so I thought.
14 My mom encouraged me to go play outside and get some fresh
15 air unaware of the chemicals I was inhaling such as co2,
16 sulfur dioxide, and nitrogen oxide.

17 This was my life and the life of the thousands of
18 children and families who are unaware of what is going on
19 in their communities. Every one of the residents of Oxnard
20 deserves access to clean and fresh air.

21 The power plant is located near many agricultural
22 fields, and the farm workers are also exposed to those
23 chemicals. My mother, who is a single mom is the only
24 provider for my two siblings and me, already risking her
25 health from the pesticides. But adding the chemicals from

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1 the power plant I fear for not only my mother's health, but
2 for all the farm workers who are exposed to the chemicals
3 released from the power plant. The people that provide the
4 nation's foods are being the most impacted. Oxygen should
5 not be a sacrifice for them.

6 This means that I'm asking the CEC that instead
7 of relying on a detrimental power plant the CEC should
8 start investing in renewable energy such as distributed
9 solar and storage and micro grids. I am also asking the
10 CEC to shut down the power plant in its original timeline
11 of retirement by December 31st, 2023. Thank you.

12 MS. BADIE: Thank you.

13 Next we have Kari Aist, apologies if I misspelled
14 your name. Odette, if you can unmute on your end.

15 MS. AIST: Can you hear me?

16 MS. BADIE: Yes, thank you.

17 MS. AIST: My name is Kari Aist, K-A-R-I A-I-S-
18 T. I am a resident of Ventura, a city which neighbors
19 Oxnard and a member of Showing Up For Racial Justice and
20 the Fierce Vulnerability Network of Ventura County, an
21 environmental justice advocacy and action group.

22 I am speaking on Agenda Item 6 and I strongly
23 oppose the CEC allowing extensions of these OTC plants.
24 I'm asking you, members of the CEC, to reject the proposal
25 to continue the use of these plants for another three years

1 and to not allocate the billion-plus dollars to try to keep
2 these unreliable, decrepit plants going. Put those
3 resources instead, and all your energy, into transitioning
4 directly to sustainable, clean energy alternatives,
5 distributed solar and storage projects, microgrids, load
6 shifting, community resilience action plans, etcetera.
7 Make them work and make it work right now and not some time
8 a couple of years in the future.

9 It's imperative that you adhere to the original
10 plan to retire these power plants by December 31st, 2023.
11 It's unacceptable to backtrack, especially in light of
12 Governor Newsom and the state's official commitment to
13 completely sunset and say goodbye to fossil fuels in
14 California by 2045. The more you backtrack and waste
15 funding such as in this proposal the less prepared you will
16 be to shut down fossil fuels in 2045. The time is now,
17 this year, 2023, to transition to a healthier, sustainable,
18 more environmentally just future.

19 You yourself, Commissioner McAllister, state on
20 the CEC website in more than one place the urgency of
21 climate change calls for accelerated decarbonization of the
22 electrical grid as California continues its ambitious and
23 aggressive pursuit to reduce its emissions. The fuel of
24 choice will be clean, reliable, resilient, low-carbon
25 electricity. And you state that California is committed to

1 achieve its goals for decarbonization, resilience, equity
2 and public health.

3 It is wrong then, it is dishonorable to claim to
4 have these goals but to not to do every single thing
5 possible to move toward environmental justice. These power
6 plants do not have a valid place in California's future
7 energy. They cause harm to environmental justice
8 communities, those of working-class immigrants of color,
9 and you know it. And let's be clear, if these communities
10 were situated in white communities or these plants, they
11 wouldn't be allowed to continue. Thank you for (sounds
12 cuts out.)

13 MS. BADIE: Thank you for your comment.

14 Next we are going to Kyle. Kyle, I'm going to
15 open your line. Please state and spell your name for the
16 record, any affiliation and limit your comments to two
17 minutes or less. Kyle, you'll need to unmute on your end.

18 MR. DE LA TORRE: Hi yeah, thank you. I was
19 stepping out really quick. Yes, my name is Kyle De La
20 Torre, K-Y-L-E space D-E space L-A space T-O-R-R-E. I am
21 affiliated with a CAUSE Action as well as the Greater
22 Oxnard Organization of Democrats here in Oxnard. You can
23 hear me, correct?

24 MS. BADIE: Yes.

25 MR. DE LA TORRE: Okay, awesome. Okay, so yes so

1 I do want to make a public comment. I was raised in Oxnard
2 and currently live in Oxnard. I am proud to be from
3 Oxnard. I love my city completely, including the people.
4 I want what's best for our members and it's the reason I'm
5 here today.

6 Keeping this power plant going to prevent a state
7 disaster is just continuing the stress and pain in our
8 community, in my community. Our community members are
9 developing disease and discomfort specifically linked to
10 the power plant. There's a school near the power plant,
11 homes, stores, busy roads. Sometimes when I'm doing
12 DoorDash and I have to travel along the road near the power
13 plant the smell is so strong. I get a migraine and I'm
14 nauseous and I feel dizzy.

15 Keeping this power plant running has caused and
16 continues to cause safety hazards. From the example I gave
17 just a moment ago of doing DoorDash and feeling dizzy, it
18 can cause a car accident. Like I can just imagine the
19 people that have to drive near there every day. That's
20 crazy, and they're developing cancer. I try to avoid the
21 area specifically, because of how dangerous it is to
22 breathe the air there. This neighborhood is mostly made up
23 of racial minorities as well as low-income individuals.
24 And the negative impact doesn't just stay in the road or a
25 mile from the power plant, it travels through the air all

1 throughout Oxnard.

2 The cons outweigh the pros. And when it comes to
3 keeping the power plant please don't see us as just a
4 number or just a location on a map. We are humans just
5 like you are. We deserve a safe and clear and clean
6 environment just like you do. Please do not allow this
7 power plant to go on any longer. We need it shut down.
8 Thank you for your time.

9 MS. BADIE: Thank you.

10 Next we have Andrea Leon-Grossmann. Andrea, I'm
11 going to open your line. If you could state and spell your
12 name for the record and any affiliation. And limit your
13 comments to two minutes or less.

14 MS. LEON-GROSSMANN: Hello, can you hear me?

15 MS. BADIE: Yes.

16 MS. LEON-GROSSMANN: Hi, my name is Andrea Leon-
17 Grossmann, A-N-D-R-E-A last name Leon, L-E-O-N-Grossmann,
18 G-R-O-S-S-M-A-N-N. I'm a resident of Los Angeles and
19 Deputy Program Director with Vote Solar for California.
20 I'm speaking today in strong opposition to the Energy
21 Commission allowing extensions for these three polluting
22 power plants. I'm calling because I've seen firsthand the
23 harm fossil fuels have done to communities of color, set us
24 back on climate goals, and the destructive nature of all
25 coastal power plants on the ocean life.

1 We are asking you to stand up for EJ communities
2 and advocate for clean energy alternatives instead of
3 spending \$1 billion of ratepayer funds on these dirty gas
4 plants. If you spend that money in efficiency the payout
5 is immediate. As an example, according to an Energy Atlas
6 by UCLA in Los Angeles, 4 percent of buildings use 50
7 percent of the electricity, and that waste is likely
8 happening statewide. Addressing that waste is the right
9 thing to do. Powering polluting plants to waste power is
10 not, and neither is poisoning communities to keep wasting
11 energy. This does compete with clean energy resources for
12 funding.

13 I am asking the Energy Commission to reject the
14 proposal for the Department of Water Resources to contract
15 with the three once-through cooling plants for another
16 three years, to commit to the original timeline of
17 retirement for these plants. And also to plan retirement
18 of all the California toxic, polluting, and unreliable gas
19 fleets to meet SB 100 mandates, prioritizing retirements in
20 environmental communities. Stop the certification of new
21 gas plants and expanding any existing plants. Invest in
22 distributed solar and storage, microgrids, demand response,
23 and energy efficiency as a priority instead of depending on
24 these outdated and dangerous fossil fuel resources.

25 Our communities already suffer the worst from

1 heat waves and running these plants during peak demand only
2 adds to the health risks from increased pollution. We need
3 to invest in reliable clean energy solutions like clean
4 demand response and other load-shifting programs and clean
5 distributed energy, not billions in polluting fossil-fuel
6 infrastructure that perpetuates environmental racism.
7 Poisoning people is not the answer. Thank you.

8 MS. BADIE: Thank you for your comment.

9 Next we have Tommy Faavae. I'm going to open
10 your line. If you can please state your name for the
11 record, any affiliation. And please limit your comments to
12 two minutes or less. I'm going to open your line now.

13 MR. FAAVAE: Hello, can you hear me?

14 MS. BADIE: Yes, I can.

15 MR. FAAVAE: Thank you. Good afternoon
16 Commissioners. My name is Tommy Faavae, T-O-M-M-Y Faavae,
17 F-as-in-Frank-A-A-V-as-in-Victor, A-E. I represent IBEW
18 Electrical Workers, Local 11 in the Los Angeles area and
19 speaking on behalf of Item 6.

20 We are speaking today to show our support of the
21 DWR Investment Plan and all that they are working towards
22 for the betterment of California. The Investment Plan
23 supports continued efforts to prioritize zero- and low-
24 emission technologies and California's transition to a
25 clean energy future, which we strongly support. They

1 continue to find innovative ways to reduce California's
2 carbon footprint and while supporting our energy needs. We
3 ask you to consider our state and local needs and support
4 the investment plan today. Thank you and have a wonderful
5 day.

6 MS. BADIE: Thank you.

7 Next we have Tevin Schmitt. Tevin, I'm going to
8 open your line. If you could spell your name for the
9 record and limit your comments to two minutes or less.

10 MR. SCHMITT: Great. Can you hear me?

11 MS. BADIE: Yes.

12 MR. SCHMITT: All right. Tevin Schmitt, T-E-V-I-
13 N S-C-H-M-I-T-T. I'm the Watershed Scientist for the
14 Wishtoyo Chumash Foundation. I represent this comment on
15 behalf of Wishtoyo to oppose the extension of operations of
16 the Ormond Beach Generating Station and this Investment
17 Plan.

18 The continued operation of the Ormond Beach
19 generating station plays a major role in the chronic
20 environmental contamination of South Oxnard and is a
21 serious environmental justice issue. This facility spews
22 massive amounts of nitrogen oxides, reactive organic
23 compounds, carbon monoxide and particulate matter into the
24 air, polluting an already disproportionately burdened
25 community. South Oxford is the only coastal community in

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1 Ventura County that experiences limited coastal access due
2 to an over-industrialized coastline, due to naval bases,
3 industrial and municipal pollution, and a Superfund site.

4 The surrounding communities' population are more
5 than 75 percent Latinx, with these communities suffering
6 linguistic isolation exacerbated by state and local
7 governments lack of communication or information in the
8 proper languages. The South Oxnard community is far too
9 often the victim of environmental racism, with state and
10 local policies harming these communities because of their
11 linguistic and socioeconomic isolation and their perceived
12 limited risk of community mobilization.

13 Further, the once-through cooling system employed
14 by the plant causes mass impingement and entrainment of
15 marine wildlife, killing millions of fish and invertebrates
16 as well as their larva. OGS has never been in compliance
17 with the Clean Water Act Section 316(b). The continued
18 operation of this plant threatens the reproductive success
19 of the nearshore wildlife communities, impacting the
20 delicate food web, local fisheries, and cultural keystone
21 species of the Chumash peoples.

22 The Ormond Beach Generating Station does not even
23 work properly. Two of the Ormond Beach units were ranked
24 first and sixth in the top fifteen gas plants with the
25 highest rates of curtailment during a heatwave last year.

1 OBGS cannot be trusted to provide electricity during these
2 times of need, which is the entire purpose for the
3 extending of its operations. It is not worth the risk to
4 those surrounding communities or the environment. Thank
5 you for your time.

6 MS. BADIE: Thank you.

7 I'm going to go back to the room with Odette,
8 Odette if you can open your line. And next we have
9 Yosselyn Gomez.

10 UNKNOWN SPEAKER: Hello, I'm speaking on behalf
11 of Yosselyn Gomez, Y-O-S-S-E-L-Y-N G-O-M-E-Z.

12 "I'm opposed to the extension of Ormond Beach,
13 Alamitos, and the Huntington Beach power plants. I live in
14 Port Hueneme and the air quality pollution from gas plants
15 affects me and my family, because we have seen how the
16 pollution caused by this power plant impacted my older
17 sister. My older sister lived her entire childhood in
18 South Oxnard and suffers from a multitude of respiratory
19 diseases to the point where even the common cold will lead
20 her to being hospitalized.

21 "My family found the resources to move out of
22 South Oxnard area and into Port Hueneme. While we are now
23 located farther from this plant I fear the excessive and
24 unnecessary pollution created by this plant will continue
25 to damage not only her respiratory system, but the

1 respiratory system of those with similar health conditions
2 who continue to live in such close proximity to the plant.

3 Not everyone can afford to leave South Oxnard in
4 search of clean air, especially when many residents such as
5 my parents have already spent their life savings up within
6 their lives in search of a better opportunity and feature
7 in the United States. It is well known that South Oxnard
8 is for the most part populated by hardworking immigrant
9 families who move to the United States in search of a
10 better life, not just for themselves but for their
11 children. My question is, how can these children have a
12 better future when they are living less than a mile away
13 from a power plant, going to a school half a mile away from
14 this plant, and suffering the long-term, physical
15 consequences of its pollution? How is it fair to our
16 community. It's being sacrificed and that we are being
17 left in the dark? And how long is this plant going to be
18 running? The answer is clear. It's not. It's not fair.

19 I am here to ask that the CEC keep your promise
20 to retire the Ormond Beach, Alamitos and Huntington Beach
21 power plant by December 31st, 2023.

22 MS. BADIE: Thank you.

23 Next we have Arturo Villanueva (phonetic).

24 Odette if you can unmute on your end. Okay, your
25 line is open.

1 MR. VILLANUEVA: [Speaking in Spanish]

2 MS. BADIE: Odette, do you have an interpreter on

3 your end?

4 MS. MORAN: We do not, but we can translate on

5 the spot if needed.

6 MS. BADIE: Yes, please.

7 MS. MORAN: So Arturo's comments -- Oh, do you

8 want (indiscernible)? Okay.

9 MR. VILLANUEVA: [Through Spanish Interpreter]

10 Good afternoon. My name is Arturo Villanueva. I

11 live in South Oxnard and I'm here as a resident of South

12 Oxnard. And I oppose this power plant deployment to

13 continue contaminating our air in South Oxnard. This power

14 plant in Ormond Beach is in the community where I live. I

15 live really close where I can see this plant. And a large

16 part of our population here is Latino. My community, we've

17 been fighting to close this power plant and advocate for

18 other energy solutions, renewable energy. And this power

19 plant deployment was supposed to be closed down in 2023.

20 And now you guys wants to keep it open until 2026.

21 Last summer the people who live close to this

22 power plant we made hundreds of calls to our local Oxnard

23 Police Department in Oxnard because we were worried and

24 woken up in the middle of the night with an explosion

25 sound. And in our fear we thought that this power plant

1 was going to explode at any moment, because it's so old,
2 this power plants. That's why I'm asking you not to extend
3 this power plant for three more years. Please retire these
4 power plants of Ormond, Alamitos, and Huntington Beach this
5 year December 31st, 2023. Thank you.

6 MS. BADIE: Thank you.

7 Next we have Ana Rosa. Odette, if you can unmute
8 on your end again.

9 MS. RIZO-CENTINO: Yes, good afternoon everyone.
10 My name is Ana Rosa Rizo-Centino, I use she/her pronouns.
11 I am Network Manager of the Central Coast Climate Justice
12 Network, which represents over a dozen environmental
13 community and social justice organizations. And we are
14 here to stand unequivocally against this extension of all
15 three power plants. We will no longer be your sacrifice
16 zone here to speak to you personally. I actually am a
17 resident of Oxnard too. And I grew up with asthma and I
18 fear that my daughter, who is eight years old, will also
19 get asthma. And it is a terrible feeling to not be able to
20 breathe.

21 And I have to remind you too, to have these
22 meetings during times when people are working and are not
23 able to express their opinion, is also a lack of respect to
24 the community. So if you can take the community into
25 consideration when planning these meetings, so that more of

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1 us can actually stand in representation of our beliefs and
2 of our -- the dignity of our lives, because our lives
3 matter a lot. They are not disposable as you all seem to
4 think they are. So please value our lives as people of
5 color. We are not here to be your sacrifice zone. Thank
6 you so much.

7 MS. BADIE: Thank you for your comment.

8 Next we have Sophia Magallan.

9 MS. MAGALLAN: Hello, my name is Sophie Magallan.
10 I am a resident of Oxnard, California, where the Ormond
11 Beach generating station is located. Thank you for the
12 opportunity to comment on this item.

13 And I want to say I'm opposed to the CEC allowing
14 extensions of the three OTC plants. The CEC has the power
15 and the responsibility to create the path to zero emissions
16 to stop the environmental justices ongoing in our states,
17 in my community, and for the health of both our people and
18 our planet. I am asking the CEC to reject the three
19 extensions. Keep your promise to communities and plan for
20 the original timeline of the retirement by December 31st of
21 this year. And instead invest that \$1.2 billion in clean
22 energy solutions rather than on-extending three plants that
23 are 50 years old and have proven to malfunction when we
24 needed them the most.

25 For example, during the last summer's heatwave we

1 have data that the Ormond Beach Generating Station was
2 running at full capacity emitting an estimated 13 times
3 more NOx and 8 times more pollution overall, while failing
4 during peak demand hours when we needed them the most.
5 This proves how unreliable these old plants are.

6 Our working-class community of Oxnard has been
7 fighting for decades to close these polluting power plants
8 on our coast, and transition to renewables. From our
9 victory to stop the proposed 262-megawatt plant in 2017, to
10 our ongoing advocacy against these extensions, we are tired
11 of fighting for our human right to breathe clean air.

12 As my colleague, Lucia showed you in-person, over
13 a thousand residents signed a petition against these
14 extensions to protect their health and stop agencies from
15 continuing to make our city sacrifice zones. Many of these
16 residents were hearing about the extension for the first
17 time and were disappointed that the promise to close these
18 plants in December 2023 was being revoked. Community
19 residents were not included in the conversations of
20 community benefit agreements and negotiations made with
21 City Manager's Office.

22 You also received a letter against these
23 extensions signed by over 60 environmental and social
24 justice organizations in California. Additionally, several
25 local decision makers such as Oxford City Council and our

1 Ventura County Assembly and Senate members are openly
2 opposed to this extension. Please listen to the thousands
3 of residents who are asking you to oppose. Thanks.

4 MS. BADIE: Thank you.

5 Next we have Farah Stack. Farah, I'm going to
6 open your line. Please state and spell your name for the
7 record, include any affiliation. We are asking that
8 there'll be one comment per entity today, and that speakers
9 limit their comments to two minutes or less. I'm going to
10 open your line now.

11 MS. STACK: Hello, my name is Farah Stack, F-A-R-
12 A-H S-T-A-C-K. And I am speaking on behalf of the
13 Community Environmental Council, an environmental nonprofit
14 whose mission is to advance bold and equitable climate
15 solutions across the Central Coast. I am speaking on Agenda
16 Item 6.

17 The Community Environmental Council is opposed to
18 the CEC allowing extensions of the Ormond Beach generation
19 station, AES Alamitos and AES Huntington Beach power
20 plants. The gravity of extending the operations of these
21 obsolete fossil fuel plants is a travesty that cannot be
22 ignored, inflicting irreparable harm upon the environmental
23 justice communities residing adjacent to these noxious
24 sites and burdening our entire state and its taxpayers.

25 Community Environmental Council urges the CEC to

1 take decisive action and firmly prioritize clean and
2 sustainable alternatives. Embracing the implementation of
3 distributed and community solar and storage, zero emission,
4 microgrids, demand response and energy efficiency is not
5 only a matter of choice, but a critical imperative in
6 securing a future for California that embodies
7 environmental responsibility and foresight.

8 Additionally, it is imperative for the CEC to
9 acknowledge the significance of well-designed rates and
10 robust incentives to shift load away from peak demand
11 periods. By embracing these pragmatic costs and cost-
12 effective alternatives we can alleviate our dependence on
13 gas peak plants, protecting our frontline communities from
14 hazardous and polluting facilities.

15 The bottom line is that frontline environmental
16 justice communities have a right to clean air and healthy
17 lungs. Prioritizing clean energy solutions that align with
18 the CEC's mission and commitment to combat the climate
19 crisis, while safeguarding our communities today is not
20 only a moral responsibility but also a strategic imperative
21 for a sustainable, safe and prosperous California. Please
22 make the health of our communities your top priority by
23 retiring these plants by December 31st, 2023. Our climate
24 and communities cannot wait any longer. Thank you for your
25 time.

1 MS. BADIE: Thank you.

2 Next we have a Haley Ehlers. Haley, if you can
3 spell your name for the record, state any affiliation. I'm
4 going to open your line. Haley, please unmute on your end.

5 MS. EHLERS: Hi. Yes, my name is Hayley Ehlers,
6 H-A-L-E-Y E-H-L-E-R-S. I'm the Director of Climate First:
7 Replacing Oil & Gas, or CFROG, a grassroots nonprofit
8 dedicated to combating the climate crisis by shaping the
9 transition away from fossil fuels and prioritizing
10 community health and climate in Ventura County.

11 I'm speaking on Agenda Item Number 6, and I'm
12 opposed to the CEC allowing the extensions of Ormond Beach
13 generating station, AES Alamitos and AES Huntington Beach
14 power plants. The reason I'm calling is to uplift the
15 fight community members have been in for decades to retire
16 these gas plants and hold you to the promises that you made
17 that they would be shut down by the end of the year. xxx

18 I was recently talking with local youth here
19 about this issue. Although they had grown up driving past
20 the power plants or enjoying nearby beaches they didn't
21 know what it was or the major health impacts that it has on
22 the Oxnard community. But they did have a lot of ideas for
23 cleaner, more just alternatives. We talked about
24 democratizing our energy system, creative solar energy,
25 energy ideas, microgrids and the exciting potential for

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1 offshore wind.

2 I'm urging the CEC to 1) reject the proposal to
3 continue contracts with these three once-through cooling
4 plants for another three years; 2) commit to the original
5 timeline of retirement by December 31st, 2023, which
6 environmental justice advocates fought really hard for; 3)
7 plan retirement for California's polluting and unreliable
8 gas fleet to meet SB 100 mandates; 4) stop the
9 certification of new and expanded gas plants; and 5) invest
10 in cleaner alternatives.

11 I urge you to be as creative and thoughtful as
12 the young people I work with and stand in solidarity and
13 protection of environmental justice communities in Oxnard
14 and throughout California, who have a right to clean air
15 and healthy environments. Old, toxic and unreliable fossil
16 fuel infrastructure is not a climate solution. Thank you
17 for your time.

18 MS. BADIE: Thank you.

19 Next we have Alex Garcia. Alex, I'm going to
20 open your line. Please state and spell your name for the
21 record, provide any affiliation. And we ask that you limit
22 your comments to two minutes or less.

23 MS. GARCIA: Hi. Yes, I'm speaking on behalf of
24 Ariel Sanchez. And that's A-R-I-E-L S-A-N-C-H-E-Z.

25 "Hello, my name is Ariel Sanchez, and I'm a 16-

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1 year-old Oxnard youth resident. I'm here today to oppose
2 the extension of the Ormond Beach, Alamitos and Huntington
3 Beach power plants. Unfortunately, I'm not able to attend
4 today's meeting because I am on vacation out of state.

5 "I have lived in Oxnard all my life, specifically
6 South Oxnard where the plant is located. When growing up
7 I went to the beach a lot and I always thought the power
8 plant was no longer in use. Even as a child, I understood
9 how outdated and dangerous the plant could be.

10 "My family and I are very active and are often
11 outdoors going on walks, hosting barbecues and playing
12 outside. My family of four all have asthma, and often have
13 complications with our respiratory systems when we're sick.
14 Most South Oxnard residents are lower income and people of
15 color, oblivious to the pollution they're living and
16 breathing every single day. This is the definition of
17 environmental racism. It is frustrating to be a teenager
18 and seeing the adults in our government who are supposed to
19 be looking out for our future make the wrong decision that
20 will have devastating impacts to our health and our
21 climate.

22 "So please, I ask you to stop the extension of
23 this plant and help my family and many others in Oxnard
24 breathe good quality air. Thank you."

25 MS. BADIE: Thank you.

1 Next we have Mark Specht. Mark, I'm going to
2 open your line. Please spell your name for the record,
3 provide any affiliation, and we ask that comments be two
4 minutes or less.

5 MR. SPECHT: Great, thank you. I'm Mark Specht,
6 that's M-A-R-K S-P-E-C-H-T, and I'm with the Union of
7 Concerned Scientists. And today I'm calling in to ask the
8 CEC Commissioners to vote no on DWR's plan to contract with
9 the three once-through cooling gas power plants through the
10 end of 2026. These gas plants, they're old, they're
11 inefficient, they're prone to forced outages, and they're
12 highly polluting. And it's long past time to shut them
13 down.

14 California has made pretty incredible strides in
15 bringing many clean resources online in the past few
16 summers and thousands more megawatts of clean resources are
17 scheduled to come online by summer of 2024. With that in
18 mind, it's not really necessary to retain these power
19 plants any longer. DWR and the CEC both frame these plants
20 as an insurance policy, but there is such a thing as buying
21 too much insurance. It's really not necessary to keep
22 every gas plant in California online in perpetuity. And
23 eventually, the CEC will have to make tough decisions to
24 let certain plants shut down.

25 Now is the time to take that step. Shutting down

1 these polluting once-through cooling plants is long
2 overdue, and it's no longer necessary to keep them online.
3 I ask you to vote no on DWR's investment plan. Thank you.

4 MS. BADIE: Thank you.

5 One moment. All right, Odette, I'm coming back
6 to the room with your participants. Can you unmute on your
7 end? And we have Manuel Perez next. Odette, please unmute
8 on your end.

9 MR. PEREZ: Hello, I'm speaking for Manuel Perez.
10 Hello, my name is Manuel Perez. I live in Oxnard and I'm
11 speaking on Agenda Item Number 6 and am opposed to the
12 extension of the Ormond Beach, Alamitos, and Huntington
13 Beach power plants.

14 Particularly, I would like to focus some
15 attention on the Ormond Beach power plant that affects many
16 Oxnard residents like myself. (Indiscernible) and knowing
17 that these power plants play a scientific role in
18 exacerbating those problems, the air we breathe in should
19 not be a source of harm. It should be a source of life.

20 I am asking the Energy Committee to take action
21 in two crucial ways. First, I urge you to prioritize the
22 health and well-being of our community by rejecting the
23 extension of the Ormond Beach, Alamitos, and Huntington
24 Beach power plants. They need to be retired by the
25 original timeline of December 31st, 2023. These

1 extensions will only prolong the harm they caused and delay
2 the progress for the cleaner energy future.

3 Basically, I will implore you to invest in
4 renewable energy alternatives and support the transition to
5 cleaner and more sustainable power sources. Oxnard has the
6 potential to lead the way in embracing clean energy
7 technology that would not only lessen pollution, but also
8 create jobs and economic opportunities for our community.

9 In conclusion, that the CEC shuts down the Ormond
10 plant (indiscernible) is not just a matter of policy. It's
11 a matter of our health and our future and our commitment to
12 environmental justice. Let's take a stand for
13 (indiscernible) and future generations. Thank you. And
14 thank you for your time and consideration.

15 MS. BADIE: Thank you for your comment.

16 Next we have Viry Gonzalez, if you can please
17 state and spell your name for the record and make your
18 comment. Odette, if you'll unmute on your end.

19 MS. GONZALEZ: Hello, everyone. My name is Viry,
20 V-I-R-Y. I'm from South Oxnard. I am here to state that I
21 am opposed to the extensions of Ormond Beach, Alamitos and
22 Huntington Beach power plants.

23 Although it's only been recently since I started
24 learning about the power plant it has not been so recent
25 since I noticed how it has been affecting my community. Up

1 until four years ago when my family and I moved into South
2 Oxnard my younger sister never had problems breathing. Now
3 she constantly has a stuffy nose that prevents her from
4 breathing well, and she has even woken up many nights
5 because she is having trouble breathing. A few weeks ago
6 we went to a camp in Santa Barbara where there was nothing
7 but clean air and lots of trees. This is when we realized
8 my younger sister was able to breathe clearly and didn't
9 have any troubles throughout the nights while we were
10 there. An extension means more asthma, cancer and heart
11 disease. This is not a sacrifice our community should be
12 forced to make.

13 I am asking the Energy Commission to plan for the
14 retirement of California's toxic, polluting, and unreliable
15 gas fleet to meet SB 100 mandates, prioritizing retirements
16 in environmental justice communities. Keep your promise to
17 retire our Ormond Beach power plant by the end of this
18 year, December 31st, 2023. Thank you for your time.

19 MS. BADIE: Thank you. One moment please.

20 Next we have David Gonzalez. David, if you can
21 unmute on your end?

22 MR. GONZALEZ: Hello everybody. My name is David
23 Gonzalez, D-A-V-I-D G-O-N-Z-A-L-E-Z. Sorry about that. I
24 am a South Oxnard resident. I live only 2.8 miles from the
25 Ormond Beach power plant and I am speaking to oppose the

1 extensions of the Ormond Beach, Alamitos, and Huntington
2 Beach power plants.

3 I lived in Mexico City until the age of nine.
4 And in case you didn't know it Mexico City is one of the
5 most polluted cities in the world. When I lived there I
6 had asthma because of the bad air quality. And when I
7 migrated to the City of Oxnard in 2004 the air was so much
8 better than I was able to stop using my inhaler.

9 Unfortunately, the air quality in Oxnard has
10 gotten so much worse over the years. And about three years
11 ago I had to get an inhaler again. The reason why I care
12 so much is because now my baby sister has been having
13 breathing issues and I don't want her and younger
14 generations to continue to inherit this bad air condition.
15 We can put an end to these toxic power plants and bring
16 about clean energy.

17 And I ask the CEC to reject the proposal to
18 extend the three OTC for another three years. And I think
19 the CEC has the power and responsibility to create a path
20 to zero emissions to stop the environmental injustice
21 that's ongoing in our state and for the health of our
22 people. I ask you, Commissioners, how would you vote if
23 these power plants were in your neighborhoods next to your
24 homes and schools, affecting your families, and your
25 children? Thank you for your time.

1 MS. BADIE: Thank you for your comment.

2 Next we have Liz Gonzalez.

3 MS. GONZALEZ: Hello, can you hear me?

4 MS. BADIE: Yes, your voice is kind of low, but
5 we can hear you.

6 MS. GONZALEZ: Okay. Hello, my name is Liz
7 Gonzales. I am a resident of Southwest Oxnard, a mostly
8 people-of-color-immigrant community. I'm here to speak on
9 Item Number 6 and I am opposed to the extensions of Ormond
10 Beach, Alamitos, and Huntington Beach power plants. I am
11 asking the Energy Commission to keep your promise to retire
12 these power plants by December 31st, 2023, and invest in
13 distributed solar and storage, microgrids, demand response,
14 and energy efficiency as a priority instead of depending on
15 these outdated and dangerous fossil fuel resources.

16 The CEC has the power and responsibility to
17 create the path to zero emissions to stop the environmental
18 and racial injustice that's ongoing in our state, and for
19 the health of both our people and the planet. Community
20 members in Oxnard fought hard to reject another Puente
21 power plant in 2017 and have been fighting hard to retire
22 the most polluting plant in the state, the Ormond Beach
23 power plant, for decades.

24 Our friends, family and future generations have
25 the right to clean air and healthy lungs and should not be

1 sacrificed for profit for fossil fuels. Again, I am
2 opposed to the extension of these unreliable polluting
3 plants and all of you should be too. Thank you for your
4 time.

5 MS. BADIE: Thank you.

6 One moment please. Okay, next we have Alex
7 Garcia. Alex, I'm going to open your line. Please spell
8 your name for the record, provide any affiliation. We are
9 asking one speaker per entity and that comments be two
10 minutes or less. I'm going to open your line now.

11 MS. GARCIA: (Overlapping colloquy.) Hi, I'm here
12 to give a comment for Elani Martinez.

13 "Hello, my name is Elani Martinez. Here to speak
14 on Agenda 6, opposed to the extension of Ormond Beach,
15 Alamitos, and Huntington Beach power plants.

16 "For the past two years I have lived in South
17 Oxnard near Ormond Beach power plant. I've driven past it
18 for two years, not knowing much other than it was a huge
19 orange eyesore, pumping out an ominous cloud of smoke
20 visible for miles away. My mild concern turned to horror
21 as I learned more about the plant's outdated, polluting
22 machinery that puts public health at risk. It releases
23 methane particles so small they can get into our
24 bloodstream causing life-threatening diseases.

25 And it's right next to the most densely populated

1 community of color in all of Ventura County. Half a mile
2 away also from an elementary school, near beaches, near
3 homes, too close to humans whose health will reflect the
4 consequences of keeping the power plant open. It poisons
5 us. It poisons the elderly with already frail health. It
6 poisons children playing outside, learning in their
7 classrooms, exposed to something that will hurt them. It
8 poisons an already vulnerable community, one that may
9 struggle with access to health care, unable to treat rising
10 issues caused by the Ormond Beach plant. This is hurting
11 people, hurting members of our community, people who are
12 simply trying to live; that is the bottom line. The power
13 plant is harmful to the living, breathing people in the
14 surrounding area. There is nothing worth sacrificing the
15 lives for them, the lives of those who work to keep our
16 world running, who maintain the vibrant Oxnard culture.

17 "For the sake of Oxnard, its inhabitants, it is
18 necessary that this power plant is not extended. Listen to
19 us, lead innovation, help our city, and remember the
20 climate clock hanging over our heads. Thank you."

21 MS. BADIE: Thank you.

22 Next we have Gus. Gus, I'm going to open your
23 line. If you could please state and spell your name for
24 the record, provide any affiliation. Please unmute on your
25 end.

1 MR. TORRES: Can you hear me?

2 MS. BADIE: Yes.

3 MR. TORRES: Good afternoon, everybody. My name
4 is Gus Torres, G-U-S T-O-R-R-E-S. And I'm speaking on
5 behalf of Union Local 250 Pipefitters, Welders, and
6 Apprentices to support the DWR's Investment Plan and all
7 that they are doing to support California and its
8 residents. Our local communities are dependent on reliable
9 energy sources to power our job sites, places of business,
10 and healthcare facilities. Local 250 joins with many other
11 Californians to ensure our energies are met and to support
12 the Department of Water Resources investment plan. Thank
13 you for your time and God bless.

14 MS. BADIE: Thank you.

15 Next we have Alison Raney. Alison, I'm going to
16 open your line. Please spell your name for the record,
17 provide any affiliation. Alison, your line is open.

18 MS. RANEY: Oh, great. Can you hear me?

19 MS. BADIE: Yes.

20 MS. RANEY: Hi, this is Alison Raney, A-L-I-S-O-
21 N, last name R-A-N-E-Y. I'm calling today on behalf of the
22 State Pipe Trades Council, State Association of Electrical
23 Workers, California Coalition of Utility Employees, and the
24 Western States Council of Sheet Metal Workers in support of
25 DWR's proposal. We support this for a number of reasons,

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1 but specifically the safeguard to the statewide electrical
2 grid, keeping energy costs affordable for residents and
3 businesses, and support for the state as we transition to a
4 clean energy future. Again, on behalf of the previously
5 mentioned organizations in support of this proposal.

6 MS. BADIE: Thank you.

7 Next we have Vanessa Buenrostro. I'm going to
8 open your line. Please spell your name for the record,
9 provide any affiliation. Vanessa, please unmute on your
10 end.

11 MS. BUENROSTRO: Yes. Can you hear me?

12 MS. BADIE: We can hear you.

13 MS. BUENROSTRO: Thank you. Oh yes, my name is
14 Vanessa Buenrostro, V -A-N-E-S-S-A space B-U-E-N-R-O-S-T-R-
15 O. I am a resident of South Oxnard. I am opposed to the
16 CEC allowing extensions of Ormond Beach generating station,
17 which is located in South Oxnard. South Oxnard is
18 considered a sacrifice zone in Ventura County. And the air
19 pollution from the Ormond Beach station affects me and my
20 family due to the toxic pollutants emitted yearly. My
21 family lives nearly a mile away from this plant. Numerous
22 of my friends and family living near this plant have
23 suffered from respiratory issues and allergies, especially
24 loved ones who have worked in this plant have suffered
25 through rashes on their skin, migraines and asthma.

1 It is also important to ensure that the union
2 workers have a promising job after making this transition
3 to a sustainable future.

4 As the resident who can see this plant from their
5 backyard, it is a constant reminder of defeat because we
6 were told that the plant would be removed. The plant is
7 still there and operating.

8 As a community of color we tend to be looked down
9 upon due to our socio-economic status and shade of color.
10 My future siblings should not be living this way. And I
11 know your children and your children's children would not
12 enjoy living near a power plant while experiencing the same
13 issues that we are suffering from right now. Ormond Beach
14 Park is located in one of the most popular communities of
15 color with more pollution burden than 94 percent of other
16 communities in the state.

17 I am asking the Energy Commission to deeply
18 invest in distributed solar storage, microgrids, demand
19 response, and energy efficiency as a priority instead of
20 depending on these outdated and dangerous fossil fuel
21 resources. We need to invest in clean energy alternatives.
22 Please make the health of our communities your top priority
23 by ending our reliance on fossil fuels, be helping move
24 California toward a clean and just energy future. Thank
25 you.

1 MS. BADIE: Thank you.

2 Next we have Lola Tennison. Lola, I'm going to
3 open your line. Please spell your name for the record,
4 provide any affiliation

5 MS. TENNISON: Hello, can you hear me?

6 MS. BADIE: Yes.

7 MS. TENNISON: Hello, my name is Lola Tennison
8 and I am a youth resident currently speaking on Agenda Item
9 Number 6 and I am strongly opposed to the extension of
10 Ormond Beach, Alamitos, and Huntington Beach power plants.

11 As a Ventura resident these harmful pollutants
12 don't directly harm me, yet they're severely hurting people
13 in my close community. Now you all may be wondering why I
14 care. I care because I am tired of seeing communities of
15 color suffer for everyone else's benefits. I care because
16 parents should not have to worry about sending their
17 children to school, knowing that their school is located
18 less than a mile away from a toxic site. I care because I
19 have lost family members due to lung cancer from
20 environmental negligence, and exploitations of machines
21 which mass produce harmful chemicals. And I care because
22 we all know white, affluent communities would never go
23 ignored, unheard and overlooked by their city systems of
24 power such as capitalism and racism and power white
25 landowners and large private business owners who are

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1 motivated by corporate greed and fail to follow any
2 regulations regarding the health of Oxford city's
3 residents.

4 While I'm not directly affected by the carbon
5 dioxide, sulfur dioxide and nitrogen oxides, all toxins
6 produced by the Ormond Beach power plant, too many people
7 of color in my community are. With Oxnard having one of
8 the highest POC populations in the state it's no surprise
9 that government would be fine with polluting the residents
10 air for decades and providing false hope to residents by
11 advertising the Ormond Beach power plant shut down.

12 This can continue no longer. I want to see an
13 Oxford whose residents can exercise, go to school, and play
14 sports outside without the worry that harmful byproducts of
15 the Ormond Beach power plant will absorb into their
16 bloodstream. I want to see an Oxnard where a mother
17 doesn't have to worry about the cost of her child's inhaler
18 as there is no longer a need for it.

19 Lastly, I want to see an Oxnard whose trapped
20 voice is heard by the state. No longer are we going to let
21 large corporations continue to buy their way out of
22 Oxford's clean air. No longer are we going to be silenced
23 by money or silenced by payoffs. I oppose the extensions
24 of Ormond Beach, Alamitos and Huntington Beach powerplants,
25 as should you. The CEC needs to keep their promise to our

1 communities and retire these plans by December 31st, 2023,
2 as they said they would. Thank you for your time.

3 MS. BADIE: Thank you.

4 Next we have a phone number ending in 091. I'm
5 going to open your line. Please state your name and spell
6 it for the record, provide any affiliation.

7 MS. BADIE: Phone number ending in 091 please
8 unmute on your end by pressing *6.

9 MR. SHUKLA: Hello, can you hear me?

10 MS. BADIE: Yes.

11 MR. SHUKLA: Thank you. My name is Dave Shukla,
12 D-A-V-E S-H-U-K-L-A and I'm the Co-founder and Operations
13 Director of the Long Beach Alliance for Clean Energy, a
14 climate and environmental nonprofit founded in 2017 after
15 lead, Pb atomic number 82, s found in the drinking water at
16 Cal State Long Beach blocks away from my home. My home
17 address is 6333 East Eliot Street in Long Beach, and that
18 is directly across the street from the AES Alamitos OTC gas
19 plant.

20 Speaking on Item 6 I am strongly opposed,
21 Commissioners, to the CEC allowing extension of these three
22 OTC gas plants for three more years. These plants need to
23 be retired by the end of this year as scheduled. Now I
24 endorse strongly the comments already made by members of
25 and representatives of climate and environmental justice

1 groups on the call, which as you may have noticed
2 Commissioners are pretty uniformly in one direction. And
3 I'm not going to repeat those comments, but I'd like to
4 share with you a personal story.

5 Commissioners, do you know when it is that we
6 hear from our house 415 feet away from the AES plant? Do
7 you know when it is we hear that plant ramping up? It
8 isn't during heat waves. It isn't in the minutes after Cal
9 OES issues blackout warnings. You know when we hear the
10 plant taking 12 to 24 hours to ramp up? It's when the oil
11 drilling at the THUMS Islands and the offshore oil drilling
12 platforms along the Long Beach and San Pedro pipelines are
13 scheduled for max capacity. That's when. That's when we
14 hear the plan ramping up.

15 Commissioners, the time has come to make a
16 choice. Please reject DWR's proposal for an extension,
17 please invest in meeting SB 100 in California's statutory
18 emission reductions goal, and please invest in the cleaner,
19 cheaper, more reliable, distributed energy resources that
20 we know actually provide grid reliability and security to
21 all Californians. Thank you.

22 MS. BADIE: Thank you.

23 Next we have Daniela Aguirre. I'm going to open
24 your line. If you can spell your name for the record,
25 provide any affiliation, and limit your comments to two

1 minutes or less. Daniela, you're going to have to unmute
2 on your end.

3 MS. AGUIRRE: Yeah, okay. Can you hear me?

4 MS. BADIE: Yes. It's a little low, but we can
5 hear you.

6 MS. AGUIRRE: Hi, my name is Daniela Aguirre, D-
7 A-N-I-E-L-A space A-G-U-I-R-R-E. And thank you for
8 listening to us. And I am a senior in Cal State Channel
9 Islands and I ask you to kindly vote no On the extension of
10 the plants. I ask for you to please shut down these power
11 plants.

12 I am a resident of Oxnard. And I'm really close
13 to Ormond, but I've lived all my life in South Oxnard. And
14 a great amount of times I've gone to Ormond Beach with
15 family since little and I've gone in my bike when older.
16 The power plant is one minute walk away from the water
17 beach coast. And it's right on the wetlands, right? And
18 its presence has always intimidated me. Neither of all of
19 the Ventura County industries pollute as bad as this power
20 plant, Ormond. And I live a 14-minute bike ride away from
21 this plant.

22 I've heard it about four times, four nights,
23 loudly last summer. And even recently I heard it this
24 season, starting around May at 6:00 a.m. I first heard it,
25 kept on going for a couple of minutes, it woke me up making

1 a medium noise. But I live about three miles, two miles
2 away, right? So also the noise was in early July. And
3 then I heard a sound, the loudest it was in the past two
4 years, on August 4th. I even made a sound recording of it
5 and it was extremely loud.

6 And also, it has been malfunctioning for these
7 past years. And it should have been maintained for the
8 failing to run on all their machinery. Our family, we
9 don't use much energy and -- but my grandmother. And well,
10 when I was a child I had asthma. And so there's still a
11 lot of industrialization in Oxford. The (indiscernible),
12 the Port of Hueneme --

13 MS. BADIE: Daniela, your time is up.

14 MS. AGUIRRE: -- and a lot more. I thank you
15 very much.

16 MS. BADIE: Thank you, Daniela.

17 Next we have Amy Smith. Amy, I'm going to open
18 your line. Please limit your comments to two minutes or
19 less. And spell your name for the record and please
20 provide any affiliation. Amy, please unmute on your end.

21 MS. SMITH: Yes. Can you hear me?

22 MS. BADIE: Yes.

23 MS. SMITH: Wonderful. My name is Amy Smith, A-
24 M-Y S-M-I-T-H. And I am here speaking on behalf of
25 CREEDLA. I am speaking today, because I support the

1 Department of Water Resources Investment Plan. Their plan
2 is here to work to safeguard Californians and the State of
3 Californian Unions electric grid, and works diligently to
4 avoid these dreaded power outages that millions of these
5 Californians that are speaking right now are facing. And
6 right now, today, we know that we are facing these.

7 Every year these are problems. The DWR is
8 working really hard to assure that additional energy
9 reserves are going to be available during these extreme
10 weather conditions, such as the exact thing that we're
11 facing today with these summer heat waves, as well as the
12 drought conditions, the wildfires that we battle every
13 single year. These are the issues that we face. And I
14 feel like many of these people are forgetting that. We
15 have these problems. And the DWR is working, to me, at a
16 strong level to try and address that and continue to move
17 forward.

18 These efforts are also helping to make sure that
19 energy costs are affordable for the very people who are
20 speaking and for our state's residents and our vital
21 businesses that keep California going.

22 Finally, their work is moving California forward
23 towards a clean energy future that California deserves. We
24 deserve a clean climate and the transition is necessary,
25 but it's going to be a transition; it is a period. And our

1 state is on the path to become the model of reliable and
2 clean power. Other states are going to look at us for our
3 efforts and our drive to become a model of clean energy.
4 And we are working to do that. And I'm proud of the DWR
5 for what they're doing. Again, thank you for your time and
6 attention everyone and have a wonderful day.

7 MS. BADIE: Thank you.

8 Next I'm going to go back to Odette, with the
9 folks with Odette. Odette, if you could unmute on your
10 end. And next we have Maria Navarro with you.

11 MS. NAVARRO: Hello. Good evening or afternoon
12 everyone, geez. My name is Maria Navarro, M-A-R-I-A N-A-V-
13 A-R-R-O. Again, I'm a resident of Port Hueneme. I live
14 within a mile from the Ormond Beach power plant at 944
15 Lighthouse Way in Port Hueneme in Surfside III. It's funny
16 to me to talk about the power plant right now in such an
17 abstract setting, when in my day-to-day life and in my
18 reality the power plant is the first thing that I see when
19 I leave for work and the first thing that greets me when I
20 get home. It sticks out kind of like a sort of relic.

21 And growing up, we talk about pollution. And I
22 see the structures like this and I think -- in our science
23 notebooks -- and I think, "Well how awful for those
24 communities, right, that have this pollution." And it's
25 funny when you realize that those communities are actually

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1 our communities, my community, a community that doesn't
2 have a choice and can only voice their opinion in two-
3 minute intervals.

4 I live right next to the beach, but the irony is
5 that I have to keep my windows closed like most of my
6 neighbor's, because of the toxic smells from all industrial
7 sites. Not only the power plant, but the paper mill, the
8 port, everything else, because we're afraid of cancer.
9 Then there's huge explosions that just wake us up in the
10 middle of the night.

11 We're tired of being a sacrifice zone. We're
12 tired of carrying the relics of outdated energy use for
13 everyone's benefit at the expense of our health and
14 wellbeing. Yeah, we're going to be a model for California
15 and for the global economy in renewable energies. But
16 we're doing it, and let's be clear about this, on the backs
17 of people who are minority, who are heavily Latino, who are
18 heavily immigrant, and who are mostly underrepresented and
19 without a voice. We need more communication from you all.
20 And it sucks that without organizations like CAUSE who are
21 bringing and highlighting these issues, residents wouldn't
22 know what's going on. Thank you so much.

23 MS. BADIE: Thank you.

24 Next we have Anadena P. If you can please make
25 your comment. Please include a spelling of your name for

1 the record. Odette, if you can unmute -- there we go.

2 UNKNOWN SPEAKER: Yes, I'm going to be reading
3 Anadena's comment. And I'll do simultaneous translations,
4 so this comment is in Spanish. [Read into the record first
5 in Spanish and then in English]

6 MS. POLICAGIO: [Through Interpreter both in
7 Spanish and English] Good afternoon. My name is Anadena
8 Policagio and I live in South Oxnard. This power plant in
9 Ormond Beach is in the community where I live in South
10 Oxnard. And I am worried about this, because I have been
11 part of the group that has been fighting to shut down this
12 power plant because it impacts the health of our kids and
13 those who live nearby. Instead we need to prioritize
14 renewable energies for our community.

15 You guys should be planning to retire this power
16 plant by the original timeline of December 2023. And not
17 keep it on until the year 2026.

18 This past year, us who live close to the power
19 plants were really worried because of a sound that we heard
20 in the middle of the night. And we learned that it was
21 coming from this power plant, really old power plant. And
22 we have been in fear that this power plant is going to
23 explode and there's going to be consequences beyond repair
24 for this, the health of all who live close to this power
25 plant in our community

1 And that's why I ask for you to continue with the
2 original plan to retire the power plant in Ormond in Oxnard
3 in December of this year, 2023. Thank you.

4 MS. BADIE: Thank you.

5 Next we have Odette Moran. Odette, if you can
6 spell your name for the record and unmute on your end.

7 MS. MORAN: Of course. Hello, my name is Odette
8 Moran. It's spelled O-D-E-T-T-E M-O-R-A-N. And I have
9 lived in South Oxnard for more than 20 years. I am here to
10 state that I am opposed to the extensions of Ormond Beach,
11 Alamitos, and Huntington Beach power plants.

12 Like many who have shared who live in South
13 Oxnard, this Ormond Beach power plant also woke me up at
14 3:00 o'clock in the morning, and I had no idea what it was.
15 But being woken up in that day last summer, it urged me to
16 learn more. And what I learned is that when we heard those
17 sounds last year Governor Newsom had lifted all air
18 pollution restrictions. And because of this action by the
19 state and Newsom we were breathing air with eight times
20 more pollution than normal.

21 And as someone who was born premature with small
22 lungs, and literally, because I was born in Mexico City,
23 which has one of the worst air qualities in the world, it
24 was the reason that my family chose to move to Oxnard from
25 this contaminated reality of our air to here, to Oxnard, so

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1 that I could get a chance to live. And it upsets me that
2 now even though knowing that Ormond Beach is the most
3 polluting gas plant in this state, that it's the stationary
4 industry that pollutes the most in all of Ventura County,
5 and it's in the place with the most people in our county,
6 and we face 94 percent more contamination than other
7 cities, even knowing all of that you, the CEC, wants to
8 extend its use until 2026 and maybe even longer. Our City
9 of Oxnard is ready to retire these gas plants and it is
10 your decision that's choking the air out of our lungs.

11 In this last hour I just have received 100 more
12 petition signatures from South Oxnard residents who want
13 this power plant gone. We are ready. And that's why I'm
14 asking you, the CEC, to reject the proposal to extend the
15 three OTC plans for three more years. Keep your promise to
16 retire them by December 31st, 2023. Thank you.

17 MS. BADIE: Thank you.

18 Next we have Elma del Aguila. If you could
19 please spell your name for the record, and you may make
20 your comment. Please unmute on your end, Odette.

21 MS. DEL AGUILA: Hello, can you hear me?

22 MS. BADIE: Yes.

23 MS. DEL AGUILA: Okay. My name is Elma del
24 Aguila, E-L-M-A D-E-L A-G-U-I-L-A. And yeah, I am a
25 resident of Oxnard. I was born here, I grew up here, and I

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1 plan to spend the rest of my life here. And I am speaking
2 on Agenda Item 6.

3 I strongly oppose you, Commissioners, strangers
4 to my community deciding to burden us with an extension on
5 a last resort rather than doing your job, your due
6 diligence to assess options that prioritize community
7 health and safety. Instead, you have failed to respect
8 years of organizing efforts, my own starting in 2014, on
9 these power plants. We were able to gain a moratorium, a
10 ban to build more power plants from our City Council. You
11 are ignoring years of community meetings of residents
12 showing up at Public Utility Commission hearings, CEC
13 Commission hearings, demanding to be heard and not to be
14 your sacrifice zone. We've held marches, we've lobbied
15 with our representatives for our futures. And instead, you
16 have failed to show how this extension won't turn into a
17 corporate loophole for polluting fossil fuels. So continue
18 to 2030, 2040, 2050, hell when I'm dead.

19 Instead, you have failed to provide public
20 process even for this meeting. This agenda was posted
21 nearly a week ago for residents and not even at a time for
22 hardworking taxpayers to be available to even give public
23 comment because they work to pay your jobs.

24 Where is the translation for our community,
25 Oxnard, whose population consists of an immigrant working

1 class community and a large, indigenous Mixteco population?
2 My family cannot participate because of your failures, yet
3 you decide our futures. It seems clear you stand to ignore
4 what our City's Council had planned for the takedown of
5 these plants. Ignore the work of community partners like
6 CAUSE, like CEJA, the cries of members of this community,
7 those here and not here. So I urge you today do not ignore
8 my cries, don't ignore our cries. Please retire this plant
9 as it was intended and do not grant another extension.

10 Thank you.

11 MS. BADIE: Thank you.

12 One moment, please. Wait. Next we have Roberto
13 Cabrales. I'm going to open your line. Please spell your
14 name for the record, provide any affiliation. We are
15 asking comments to be limited to two minutes or less. And
16 we're also asking that one speaker per entity provide
17 comment. I'm going to open your line now.

18 MR. CABRALES: Hello, can you hear me?

19 MS. BADIE: Yes.

20 MR. CABRALES: Hi, my name is Roberto Cabrales,
21 C-A-B-R-A-L-E-S. I am the Southern California Program Co-
22 Director in Wilmington with CBE and a member of CEJA.

23 I was born and raised in Southeast L.A. and for
24 my entire life throughout my adult life I have been
25 involved in fighting new fossil fuel power plants proposed

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1 in our already burdened communities since then supposed
2 energy crisis of 2001. And it seems that the energy
3 urgency has always been an excuse to propose dirty fossil
4 fuels in EJ communities. As exhausting as it has been to
5 fight new power plants we also have worked diligently to
6 retire old power plants, and also supporting clean energy
7 alternatives.

8 During the pandemic I was able to become a
9 homeowner and left one EJ community to live in another EJ
10 community. I'm currently a resident of San Bernardino
11 City. And I'm opposed to the CEC allowing extensions of
12 the three OTC plants, because it is time to retire old
13 plants that are unreliable and dirty.

14 One thing these communities, our communities that
15 are heavily impacted have not forgotten, as the previous
16 caller said, is that the unreliability of our outdated grid
17 is causing more impacts to people. We have not forgotten
18 about the extreme heat waves, we have not forgotten about
19 the expensive utility bills that our communities have to do
20 or pay to try to stay cool. But one thing we have not
21 forgotten about is that we are sick and tired of being sick
22 and tired, especially when our families are breathing the
23 dirtiest air in the state. We have also not forgotten the
24 racist decisions that have allowed dirty fossil fuels to
25 continue to operate in our communities.

1 That's why I'm asking and urging the Energy
2 Commission to reject the proposal for the DWR to contract
3 with three OTC plants for another three years. We want to
4 invest in distributed solar storage, microgrids, demand
5 response, and energy efficiency as a priority instead of
6 depending on these outdated and dangerous fossil fuel
7 resources. The CEC has the power and responsibility to
8 create a path to zero emissions, to stop the environmental
9 injustice that is ongoing in our state, and for the health
10 --

11 MS. BADIE: Thank you for your comment. We are
12 asking comments to be limited to two minutes or less so we
13 can hear from everyone.

14 Next we have Juan Carlos Diaz. I'm going to open
15 your line. If you could spell your name for the record and
16 provide any affiliation. Please limit your comments to two
17 minutes or less.

18 MR. DIAZ: Hello, can you hear me?

19 MS. BADIE: Yes.

20 MR. DIAZ: Hello. My name is Juan Carlos Diaz,
21 J-U-A-N C-A-R-L-O-S. I'm a resident from Oxnard,
22 California. Thank you for the opportunity to comment on
23 Agenda Item Number 6.

24 I oppose the CEC allowing extensions of Ormond
25 Beach generating station, AES Alamitos and AES Huntington

1 Beach power plants. In my community of Oxnard I've seen
2 that many of our Mixteco families live alongside Port
3 Hueneme in a neighborhood called Cuesta Del Mar. When I
4 talked to each of the families I spoke to, many of them
5 were concerned that their backyard, neighborhoods, and
6 ocean were polluted. They do not feel safe swimming in the
7 sea with their children or walking near the sea. They all
8 said they dream of having cleaner air and water for
9 themselves, their children's and future generations. They
10 all stated that, "We want you to make the health for
11 communities your top priority by ending our dependence on
12 fossil fuels and helping moving California toward a clean
13 and just energy future."

14 I am asking the California Energy Commission to
15 plan for the original timeline of retirement by December
16 31st, 2023, and reject the proposal of the Department of
17 the Water Resources to contract with the once-through
18 cooling plants for another three years. Our climate and
19 communities can't wait any longer. It's inexcusable that
20 the CEC will consider allowing these gas plants to continue
21 and pollute frontlines communities and even build new gas
22 plants. Thank you.

23 MS. BADIE: Thank you.

24 Next we have Alondra Mendoza. I'm going to open
25 your line, please spell your name for the record, provide

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1 any affiliation. We are asking for one speaker per entity
2 and for comments to be two minutes or less. Your line is
3 open.

4 MS. MENDOZA: Yes. A-L-O-N-D-R-A M-E-N-D-O-Z-A.
5 I am a resident of Oxnard and a community advocate speaking
6 on behalf of the Mixteco Indigena Community Organizing
7 Project. Thank you for the opportunity to comment on
8 Agenda Item Number 6. We respectfully oppose the CEC
9 allowing extensions of Ormond Beach generating station,
10 Alamitos, and the Huntington Beach power plants.

11 In my community of Oxnard. I have been working
12 with indigenous community leaders for the past three years
13 to establish greater health and wellbeing. Most of our
14 community members are field workers and are already exposed
15 to pesticides. When speaking with them, many of them do
16 not know that their backyards, ocean and air are being
17 polluted by an energy plant.

18 When members of our indigenous community found
19 out that Oxnard has long been used as the grounds for
20 Central Coast's most polluting industries than anywhere
21 else in the state they said, "Nuestro futuro está en
22 peligro," that our future is at stake. We want the same,
23 safe environmental opportunities that other California
24 coastal cities enjoy, because we only want the best for the
25 future of ourselves and our loved ones and of the many

1 indigenous community leaders. Therefore, we must find best
2 practices for protecting our environmental health.

3 I am asking the California Energy Commission to
4 invest in distributed solar technologies, efficiency, and
5 clean energy as a priority instead of depending on outdated
6 and dangerous environmentally unstable resources. Thank
7 you.

8 MS. BADIE: Thank you.

9 Next we have Marven Norman. Marven, I'm going to
10 open your line. Please spell your name for the record,
11 provide any affiliation. We're asking for comments to be
12 two minutes or less.

13 MR. NORMAN: Hello. Good afternoon, my name is
14 Marven Norman, M-A-R-V-E-N N-O-R-M-A-N and I'm with the
15 Center for Community Action and Environmental Justice,
16 CCAEJ, and a resident of San Bernardino. And so I'm also
17 here speaking on the Agenda Item Number 6 and joining in
18 solidarity with other members and community members who
19 have spoken out about their concerns about allowing
20 extensions of these generating stations.

21 We at CCAEJ and with our community members have
22 worked with others and coalitions and have been part of
23 these -- excuse me -- these historic efforts to get these
24 plants shut down that are polluting the communities. And
25 so it is concerning to see that the DWR is seeking to

1 extend these contracts for three more years.

2 The state has set several climate goals as well
3 as equity goals. And so it's really disheartening to see
4 that the state agency is the one that is trying to extend
5 these polluting plants that are in the midst of an equity
6 community, a frontline community that has been facing these
7 injustices for years as it is already; that they would be
8 forced to continue on for three or a couple more years.
9 And if it's approved this one time, of course, it sets a
10 bad precedent to approve it another time. Like when at
11 the same time they'll also have the same excuse, "Oh well
12 we need it."

13 I mean, we don't need any more cancer and asthma
14 and heart disease that these plants are brought to these
15 communities. It's time for them to end it. So we are
16 hoping that the Commission can instead direct the
17 investment into renewables and leverage the ongoing
18 investments that are coming from all areas and sectors to
19 ensure that these plants can shut down by December 31,
20 2023, timeframe that was set. We saw from an analysis that
21 they already don't work when they're supposed to work, and
22 they're very polluting when they are turned on. So once
23 again, community -- and it's a long time to let them shut
24 down, so please do this. Thank you.

25 MS. BADIE: Thank you for your comment.

1 Next we have Terez Sanogo. Terez, please I'm
2 going to open your line. Please unmute on your end.
3 Please spell your name for the record, provide any
4 affiliation.

5 MS. SANOGO: Hi I'm Terez Sanogo, T-E-R-E-Z S-A-
6 N-O-G-O. And I'm with Communities for a Better Environment
7 and the Regenerate Coalition. I live in Long Beach and I
8 am opposed to the extension of these three OTC plants.

9 I do agree with the Commission that Californians
10 need energy reliability and emergency resilience. But the
11 path to these goals for the state cannot be paved with the
12 bodies of our frontline community members. The decision to
13 extend the operation of these plants is a decision to
14 sacrifice Californians in our communities. The fact that
15 we have gotten here to vote to break promises to
16 environmental justice communities is a failure. We can
17 begin to rectify this by investing in distributed solar and
18 storage, microgrids, demand response solutions and energy
19 efficiency as priorities rather than perpetuating a
20 dependence on dangerous and toxic fossil fuel
21 infrastructure.

22 I urged you Energy Commissioners to reject the
23 proposal for the Department of Water Resources to contract
24 with the three OTC plants for another three years. To
25 commit to the original timeline of retirement for these

1 plants by December 31st, 2023, which environmental justice
2 advocates and community members have fought hard for. And
3 to plan for retirement of California's toxic, polluting,
4 and unreliable gas fleet to meet SB 100 mandates
5 prioritizing retirements, environmental justice
6 communities. Thank you.

7 MS. BADIE: Thank you.

8 Next we have Gabriela Orozco Lara. I'm going to
9 open your line. Please spell your name for the record,
10 provide any affiliation? Gabriela please unmute on your
11 end.

12 MS. OROZCO: Hello, can you hear me?

13 MS. BADIE: Yes.

14 MS. OROZCO: Okay. Hello, my name is Gabriela
15 Roscoe G-A-B-R-I-E-L-A O-R-O-Z-C-O and I live in the City
16 of Ventura. I'm speaking on Agenda Item Number 6 and I am
17 opposed to the extensions of Ormond Beach, Alamitos, and
18 Huntington Beach power plants.

19 So the reason I care about this issue so much is
20 because of the worry that I feel for many of the families
21 of the city of Oxnard that live around the dirty and
22 unreliable Ormond Beach generating station, who are daily
23 having to breathe the air from this plant that is
24 containing many bad chemicals that can lead to health
25 problems such as asthma, cancer, and heart disease, and

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1 which can be even more dangerous for people that already
2 have these health problems. And I think that this is
3 something that is really unfair to the residents of Oxnard,
4 because I don't think that this is a sacrifice the
5 community should be having to take, because anyone and
6 everybody should have the right to feel safe in their own
7 community that they live in and know that their health is
8 not being harmed.

9 Now the community of Oxnard have fought hard to
10 reject another Puente power plant in 2017, and have been
11 fighting hard to retire the Ormond Beach plant for decades
12 now. And it's frustrating to think that we have fought for
13 something for so long that we shouldn't have been fighting
14 for in the first place, because it's a basic human right to
15 have clean air and healthy lungs. And we want this
16 injustice to stop for the sake of everybody's wellbeing in
17 Oxnard.

18 And I'm asking the Energy Commission to 1) reject
19 the proposal to extend the three OTC plants for another
20 three years; and 2) to commit to the original timeline, and
21 to retire the three OTC plants by December 31st, 2023,
22 which environmental justice advocates and community members
23 fought hard for. Thank you.

24 MS. BADIE: Thank you.

25 Next we have a phone number ending in 125. I'm

1 going to open your line. Please state and spell your name
2 for the record, provide any affiliation. We are asking for
3 comments to be limited to two minutes or less.

4 Phone number ending in 125 your line is open. You
5 will need to unmute on your end, press *6 to unmute or
6 mute. I believe your line is open. Phone number ending in
7 125 we can't hear you. I'm going to go on to the next
8 commenter. If you want to resolve the audio issues on your
9 end we'll come back to you.

10 The next commenter is Julie Henszey. Julie, I'm
11 going to open your line. If you could please spell your
12 name for the record, provide any affiliation, and limit
13 your comments to two minutes or less. Your line is open.
14 Please unmute on your end, Julie.

15 MS. HENSZEY: Hello, I'm Julie Henszey, J-U-L-I-E
16 H-E-N-S-Z-E-Y. I live in Ventura. And I am the Chair of
17 the Ventura Sierra Club. I'm speaking on Item 6 and I'm
18 opposed to the contract extension.

19 So I think the big question here, Mr. Hochschild,
20 Mr. Gunda, Mr. McAllister, and Ms. Monahan, is what can we
21 afford and what can't we afford? And if you look at
22 society in general we say we can't afford crime, so we
23 invest in a police force. We say we can't afford the
24 destruction of fires, so we invest in firefighting and
25 prevention. We say we can't afford today high energy

1 costs. We say we can't afford to lose jobs, so unions are
2 supporting this. And when we talk about whether we can
3 afford something we're really talking about our values, and
4 we're prioritizing where we place our effort.

5 And so why don't we ever say we can't afford to
6 jeopardize the health of people in frontline communities?
7 We can't afford for children to get asthma. We can't
8 afford for people to live with respiratory disease caused
9 by these power plants. We can't afford for women to give
10 birth to premature babies. We could prioritize this more.
11 It's a choice.

12 And what you're hearing from everyone today is
13 that we need to value people more, not jobs, not low-cost
14 energy, but people because we are on this planet to look
15 after each other, all of us. If we're not here for love,
16 and to look after each other, then what are we here for?
17 What is your purpose in life? So I say this on behalf of
18 the Sierra Club. And thank you for your time.

19 MS. BADIE: Thank you.

20 For number ending in 125 we're going to try
21 again. Please unmute on your end, state and spell your
22 name for the record. We are not hearing any audio on your
23 end.

24 MS. GALE: Now?

25 MS. BADIE: Yes, we can hear you now. Thank you.

1 MS. GALE: Okay, my name is Daryl Gale, D-A-R-Y-L
2 G-A-L-E. I have been listening since 10:00 o'clock. And
3 I'm just kind of really shocked that we are still
4 discussing the continuation of old, toxic, methane coastal
5 power plants. Haven't we poisoned enough marine life and
6 sickened enough California residents with chronic methane
7 leaks, like Aliso Canyon? The only thing that we really
8 need to spend money and labor on is more solar, more wind,
9 and more battery storage projects.

10 Human beings are notorious regarding making
11 changes in their behavior until it's absolutely necessary.
12 I believe we can become a true world leader in clean
13 climate energy. Ancient methane plants are not the
14 answer. It's necessary now to make these clean changes.
15 That's all.

16 MS. BADIE: Thank you.

17 Next we have Jack Depuy. Jack I'm going to open
18 your line. Please spell your name for the record, provide
19 any affiliation. We're asking for comments to be two
20 minutes or less. Jack please unmute on your end, you may
21 begin.

22 MR. DEPUY: Hello. Hello, my name is Jack Depuy,
23 J-A-C-K, last name D-E-P-U-Y. I'm here to speak against
24 the extension of the power plants. Extending these power
25 plants will cause tons of extra pollution in the EJ

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1 communities living near these plants, especially the Ormond
2 Beach generating station -- just toxic -- located in one of
3 the most densely populated communities of color in Ventura
4 County that experiences more pollution than 94 percent of
5 other neighborhoods in California.

6 Further, these three plants have some of the
7 highest failure rates in the state during last summer's
8 heatwave. We need to transition as quickly as possible
9 away from fossil fuels and toward clean energy. Now more
10 than ever we have to decide and decide quickly what pieces
11 of the past we want to have with us in the future and what
12 we don't. We don't want to continue exposing communities
13 to this kind of harm. Thank you.

14 MS. BADIE: Thank you. Next we have Ari
15 Eisenstadt. Please unmute on your end. Open your line,
16 spell your name for the record, and provide any
17 affiliation. Your line is open.

18 MR. EISENSTADT: All right?

19 MS. BADIE: Yes, thank you.

20 MR. EISENSTADT: Can you hear me? Thank you so
21 much. My name is Ari Eisenstadt, spelled A-R-I space E-I-
22 S-E-N-S-T-A-D-T. And I'm calling today on behalf of the
23 Regenerate California Coalition to urge the CEC to vote
24 against the DWR Investment Plan. And if after hearing all
25 of these comments begging you to value the lives of

1 communities of color, you do approve these plant extensions
2 I'm wondering how you will account for the harm these
3 extensions would cause. What reparations will be made to
4 the people who have lost family members to cancer, asthma
5 and heart disease? Will you make sure that the state
6 invests in clean, democratized solutions to reliability
7 with the same fervor that it clings to gas plants and bows
8 down to fossil fuel companies like GenOn and AES? Will you
9 push back against the Governor, the Legislature, gas plant
10 owners and utilities even when it's politically difficult?

11 Communities have been asking these questions for
12 so long to no avail, making it clear that the only path to
13 justice is to reject the proposal to extend these plants.
14 Environmental justice advocates have fought for investments
15 in demand response, community solar and storage,
16 distributed energy, and other clean resources for longer
17 than I've been alive. EJ communities have handed the CEC
18 the PUC, the Legislature, the Governor, CARB and air
19 districts (phonetic) solution after solution, all of which
20 could have prevented this meeting from happening.

21 We're imploring you to finally listen to what EJ
22 communities have been saying for decades and see that
23 extending these plants is not and cannot be the only option
24 to keep the lights on. Thank you.

25 MS. BADIE: Thank you.

1 That is the final hand for public comment. Back
2 to you Chair.

3 CHAIR HOCHSCHILD: Yeah. Let me just see if
4 there's anyone else in the room who has not had an
5 opportunity to comment. I did see a few people. Anyone
6 else? Okay, thank you for all those comments.

7 We'll turn to Commissioner discussion starting
8 with Vice Chair Gunda.

9 VICE CHAIR GUNDA: Thank you. Thank you Chair.
10 I had a lot of prepared notes today. I knew that it would
11 be a hard, long item, but I don't necessarily feel like
12 using much of my notes, prepared notes.

13 I just want to begin by first thanking CEJA,
14 CAUSE, CBE, Sierra Club, Regenerate California for a couple
15 of things. One, making sure that the invisible pollution
16 and harms that the communities face, that you take the time
17 to educate them and time to mobilize, which is extremely
18 important. And also kind of challenging and pushing us
19 constantly to think about how to act on justice.

20 So I have had a difficult two-and-a-half years of
21 a job, and I tried to kind of articulate today's
22 conversation around intellectually justifying the numbers,
23 right? So I can justify for the next three days why these
24 power plants are needed, why this is the only option, why
25 staff have come with so many different ways of articulating

1 the need for these power plants. I thought that was kind
2 of the path of my decision-making today.

3 And then I thought through -- had a call with a
4 bunch of community leaders about four weeks ago, after the
5 last two business meetings ago. And it probably was one of
6 the hardest meetings I've ever had in my life. It was one
7 of those moments when you are challenged to the core. What
8 you're trying to do and what your job is, what your purpose
9 is, what are you supposed to do? I've done what I could
10 do.

11 I first went on to Google and looked for "How do
12 you make difficult decisions?" And the answers I saw was,
13 "Take some time, make a pros-and-cons list, and justify
14 what the answer is." I think what Google, or intellectual
15 investigation of this doesn't talk about is really what the
16 core of the problem I see here is. The core of the issue
17 that I hear from the community today is not one around
18 whether these power plants are needed, whether California's
19 reliability is important, whether we are transitioning to a
20 clean energy or not.

21 Sometimes words are said that are not necessarily
22 coming from anything else other than passion, but for the
23 most part what I hear here is this is a crisis of betrayal,
24 a feeling of absolute trauma that communities feel over and
25 over and over betrayed. Can I hear that loud and clear?

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1 The simplest answer for me in answering those
2 questions is to look and say, "That agency failed, this
3 agency failed. We didn't do that. We didn't do this." I
4 want to do that. This is a collective California state
5 family. And I would acknowledge that the state has not
6 planned well to transition away from this fleet, period.
7 And the state historically has committed a lot of
8 atrocities towards a lot of peoples in this state. And the
9 structural issues that the state has continued to afflict
10 communities that take the brunt of this damage. I have no
11 answer to any of that.

12 My job here, unfortunately, is a mandate of,
13 "What are you going to do to keep the lights on?" I want
14 to remind everybody in this room and everybody that's
15 listening and for the record, when the lights went off in
16 2020 in one of the most difficult hearings we've had, the
17 Legislature asked point blank, "Can you promise us that the
18 lights will never go off again? Can you promise us that
19 the lights won't go off again?" We couldn't say yes. We
20 couldn't say yes. But the question was repeated over and
21 over. And after that happened we reached out and asked for
22 help, to provide us with tools, to provide our ideas on
23 what could be done.

24 It's not up to me how the \$8 billion was to be
25 spent. If I was given the opportunity to decide myself, I

1 would do it differently. I would choose a different
2 process. I would not go down the path that we are
3 currently put in. Part of this comes from what CEC agency
4 has and what we do not. And it's hard to admit. We have a
5 lot of accountability with no clear authority. We don't
6 get to choose everything that we want and the ways we want
7 to do it. And we as an agency are not given the tools to
8 undo hundreds of years of injustice in this state. What we
9 can do is do our best to move the state forward.

10 And this is an extremely difficult decision for
11 me. Over the last six years I've worked here I've never
12 felt so uncertain on how to approach a decision. I've
13 never felt so saddened, frustrated, that I'm not able to
14 figure out a clear strategy forward that can take into
15 account everybody's considerations in the best way
16 possible. I can't. Mari Rose is here, Lucia is here who I
17 traveled with. I can't look in your eyes and say, "I'm
18 doing it right by you." Not. I'm trying to choose a
19 decision that is looking at the broader California, and
20 trying to choose between a number of different alternatives
21 that I'm not proud of.

22 You had a number of concerns. Number one,
23 starting with what Commissioner Gallardo also mentioned,
24 which is community engagement. I am sorry. I am sorry
25 that I didn't reach out to you after the one time I reached

1 out last summer and said, "I think we're going to extend
2 those power plants; we need to talk." I tried a few times
3 where I expected those conversations was happening, but I
4 didn't reach out. So I'm sorry. I'm sorry that we haven't
5 had the luxury of a conversation to not have this difficult
6 of a decision-making process today.

7 You asked what we can do to promise if we can
8 retire these power plants. It's not a ruse to extend these
9 for another 10 years. And for all those brothers and
10 sisters who commented, and I'm sure your high school
11 students. I don't know how old you are -- my daughter is
12 seven, my son's four -- I hear in your voices, please, that
13 I would not want to go unheard if my daughter or my son was
14 saying it. I'm sorry. I'm sorry that we're in this
15 situation.

16 While I cannot promise that this power plant will
17 not be extended by 2026, because I do not have the
18 authority to promise so, I ask our staff, David Erne, Deana
19 Carrillo to develop a report to articulate the conditions
20 necessary for the retirement of the power plant by 2026.
21 And put that in a business meeting in consultation with the
22 community groups that spoke today and DACAG. I request
23 Liz, who is leading our SB 100 work to please incorporate a
24 retirement strategy for the gas power plants in the next SB
25 100 report, articulate the plan.

1 Third, can we figure out a way to support the
2 continued transition? And Deana, who is our Director for
3 the clean energy reliability investments, has already been
4 working on this to figure out the best ways to expand the
5 DSGS and the DEBA money to be supporting the communities
6 that are bearing the brunt of this. I request to her to
7 engage with the communities to figure out how best we can
8 support, and I personally commit to do so as well.

9 And finally, these jobs are really difficult.
10 These jobs are not easy. Not for the Commissioners, not
11 for the staff. These are some very difficult decisions.
12 And I really request everybody that commented today, and
13 the organizations to please know that we are trying our
14 best. While we haven't done what you would like us to do,
15 while I personally admit that we have done better, this is
16 the situation we are in and I'm sorry.

17 A number of you commented on doing one, the
18 demand response, or doing something else, or something
19 else. I do not want to reiterate my comments from the last
20 business meeting that I was here on or the private meetings
21 we all had. This is not a one-size-fits-all. This is the
22 time that we need a lot of different ideas, unpleasant and
23 un-optimal ideas for a little while.

24 And as we go through this I request those
25 communities that are present today and advocates that are

1 present today to support legislatively to put more money in
2 demand response and DSGS. In our first recommendations
3 we've asked for a lot more money for demand response and we
4 did not get that. We asked for a lot more money for
5 distributed solar and storage, specifically microgrids. We
6 did not get that. It's not our Commission's position that
7 those are bad ideas. By the time that things go through a
8 legislative process, once the Legislature gets to hear the
9 voices of so many people, not just the communities that
10 were present today but all of California, decisions are
11 made a certain way. And for those of you who strongly
12 believe that demand response and community-scale solutions
13 are important, please support those with the Legislature.

14 And before I finally close my comments I want to
15 just call out one person who was making a comment today, V.
16 John. He always appreciates the public process we have
17 here, talks about the importance of planning well. And
18 today his comments were around the different things we
19 haven't done as a state. I recognize that.

20 And I commit to work with all of you to move
21 forward in retiring these power plants as quickly as we
22 can. And I ask for your help. I please ask for your help
23 as we move forward this vote, because I see this as an
24 important element of our broader plan. And I don't want to
25 re-articulate why intellectually, but I just want to appeal

1 to you all to please help us one more time. Thank you.

2 CHAIR HOCHSCHILD: Thank you Vice Chair. Other
3 comments? Commissioner Monahan, yeah.

4 COMMISSIONER MONAHAN: Well first I want to thank
5 the many commenters. I think it just takes so much bravery
6 to come to this type of forum and speak. And speak from
7 your heart and speak from your truth and speak from -- as
8 the Vice Chair said a lot of community residents -- from a
9 sense of betrayal. And I think we all feel that.

10 And I just want to -- so many of the comments
11 rang true in terms of you are exposed as people of color to
12 more air pollution, the data is clear. And frontline
13 communities deserve cleaner air. Children deserve to be
14 raised in communities that aren't burdened by air pollution
15 from old fossil fuel facilities. That should be a right.
16 And it's not right now. We're working towards that. But
17 that's not what communities who are breathing these toxic
18 air pollution, pollution, from these facilities experience.
19 And it's clear that we have to move to a 100 percent clean
20 energy system. That is the only solution.

21 The focus of today's decision is really on these
22 three power plants running during times of emergency. And
23 I think what we haven't discussed here, but what the Vice
24 Chair and others at the Energy Commission spend a lot of
25 time focusing on, is how do we get to this 100 percent

1 clean system, which is of course based -- a lot of our
2 strategy is based on electrification. It's accelerating
3 more electric vehicles, electric buildings. And we haven't
4 talked about the fact that actually the number one source
5 of air pollution in low-income communities, in communities
6 of color, is transportation. And we're trying to get as
7 many of those vehicles to be zero emission as possible.
8 And what that means is that we're going from a sort of flat
9 electricity demand over the last several decades to rapidly
10 increasing electricity demand. And that's causing stress
11 in our system. It just is.

12 As the Chair likes to say climate change is
13 making it harder to fight climate change. And as we move
14 from a system that was really around how do we just reduce
15 demand for electricity to a system where we say, "No, no,
16 let's scale up as fast as possible, because that's how we
17 clean the air," it's stressing our system. We are finding
18 it really hard.

19 And if you look over the demand forecasts that
20 we've done for electricity, in 2018, 2019, it was flat.
21 Now we're looking at increasing like 6 gigawatts of peak
22 increase by 2030. And this is part of the reason I think
23 we are facing these challenges in the near term. How do we
24 build out a grid that can incorporate clean energy swiftly?
25 And we need to do it. We need to do better at that. We

1 need to move faster at incorporating renewable energy. We
2 need to move faster at incorporating battery storage. We
3 need to build out chargers faster. And we're working with
4 all the energy agencies to do that, but we are not there
5 yet. We need to move faster. And we need to do it,
6 because communities are faced with this unfair burden of
7 air pollution.

8 And I think we do need to do a better job of
9 really targeting low-income, disadvantaged communities and
10 communities that currently have these three power plants.
11 So I really appreciate it, actually, Vice Chair's
12 suggestions that we work more at a regional level, instead
13 of looking so much at a state level. How do we use our SB
14 100? How do we provide tangible benefits for communities
15 that are disproportionately impacted? And I think that's
16 an opportunity for all of us to dig deeper and think harder
17 about how to do that.

18 CHAIR HOCHSCHILD: Commissioner McAllister.

19 COMMISSIONER MCALLISTER: Thanks, Chair.

20 My colleagues are so articulate. And Vice Chair,
21 I really appreciate all the ground that you've covered.
22 And just this really does sort of slice us open at a
23 personal level. I think having to make these kinds of
24 decisions. This is not where any of us want to be. I
25 mean, these are not the kind of decisions that mostly we

1 wanted to sign up for when taking these jobs.

2 But the demons of climate change are upon us, and
3 they're challenging us in all sorts of ways. And the
4 communities that are subject to these historical
5 inequities, these structural inequities it's impossible to
6 deny that. That's our reality. Whether we wanted it to be
7 that way or not, these plants are there. And so I think all
8 of us share, everybody in this room really shares the
9 desire to get beyond these plants as soon as we possibly
10 can.

11 And I can't make it right in terms of yes, as the
12 agencies have had to deal with these challenges every
13 couple of years, year after year. And as we try to plan
14 and we try to find pathways to get to our clean energy
15 future we're constantly presented with a bunch of
16 suboptimal options, with a bunch of kind of crappy options
17 that we have to choose between. And this is one of those
18 items. This is one of those difficult moments.

19 But I wanted to kind of state slightly
20 differently, something that I think both Vice Chair Gunda
21 and Commissioner Monahan said. We're trying on so many
22 fronts, we're making so many efforts. I mean, the 800
23 staff at the Energy Commission and our sister agencies,
24 many, many local governments, lots of private sector
25 partners, lots of local nonprofits and CBOs, we are really

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1 pushing as hard as we know how to create options that avoid
2 these kinds of decisions going forward.

3 Commissioner Monahan mentioned the electric
4 vehicle build-out, the chargers, and the vehicles. And we
5 talked about that a bit earlier. And that's creating
6 stress on the grid, but it's also a fundamental part of our
7 clean energy, of our climate solutions.

8 On demand response many, many people mentioned
9 demand response and load flexibility. Our failures or our
10 inability to get DR scaled up over the last 20,30 years-
11 plus, it hurts me. I consider it to be a personal failure.
12 I've been trying to wave the flag on that for many, many
13 years. And we have the 7,000 megawatt goal for load shift.
14 And that, I think, is the groundwork for a lot of
15 innovation in that realm. It is going to enable us to
16 scale up demand response. But despite the fact we've been
17 trying for so long, we don't have perfect solutions on
18 demand response. I mean, V. John, I don't know if he's
19 still here, but he -- yeah, there he is -- I agree, we
20 need it. It's right there in front of us, we have the
21 technology, we're in the digital age. We can do this, but
22 we have to do it.

23 And the same way that building out large-scale
24 solar and large-scale wind and more microgrids on rooftops
25 and getting all flavors of batteries out there across at

1 all scales across the state. All of those things we're
2 funding huge amounts of research. We're trying to get
3 programs. DEBA and DSGS are I think also great
4 opportunities here. So all of this is to say that I feel
5 like we're sprinting down a bunch of parallel tracks. And
6 it's not this or that, it's all of the above. And we have
7 to do all of the above even better than we've been doing on
8 going forward.

9 As we electrify buildings and transportation
10 we're creating, as Commissioner Monahan said, more stress
11 on the grid. And so at the same time we're confronting
12 actual climate change getting worse every year. Last month
13 was the hottest month on record across the globe. And so
14 we're having to mitigate that and adapt to it at the same
15 time.

16 So all of this to say that I certainly would
17 vastly prefer not to be faced with this decision, but here
18 we are. So I will commit, as I think all of us will, to
19 engaging in the communities that are most affected. And
20 that we definitely going to figure out with my team how to
21 do that.

22 The Legislature has given us, in spite of the
23 fact that we might have had it a little bit differently,
24 more resources, or generally better. But they have given
25 us some significant resources to do the kinds of things

1 across our energy systems. My team and I are mostly
2 focused on the buildings on efficiency side of things. And
3 between state and federal resources we're going to be
4 pushing a billion or so dollars out there to electrify and
5 decarbonize our buildings in the next few years, focused
6 the vast majority on disadvantaged communities and
7 frontline communities. And so our team is finalizing the
8 guidelines for that. And we're going to be pushing out
9 those resources.

10 And I'm going to ask our team, I see Deana and
11 Christine back there, to approach those programs through a
12 lens of mitigation of these kinds of impacts. The
13 direction we've gotten from the Legislature is to focus on
14 disadvantaged communities. And there are many definitions
15 of that, but I think a highly targeted definition seems
16 appropriate. So I would really enjoy that conversation and
17 try to figure out how we can be much more responsive.

18 I think I'll wrap up. I certainly just want to
19 appreciate everyone who spoke, and hear your passion and
20 hear your frustration. And it's emotional, especially the
21 communities that really haven't had a voice. It's just we
22 could do better, we must do better going forward, preparing
23 kind of the conversation and listening.

24 So with that, I think I'll wrap up, but you just
25 have my commitment to get (Indiscernible.) across the dais.

1 And I wanted to appreciate Commissioner Gallardo, Senator
2 Stern, as well as V. John for their kind of laying out the
3 commitment to do better and just the expectation that we
4 will do better, because I think we have to do our best to
5 live up to that. So thanks for listening. I appreciate
6 everyone being here.

7 CHAIR HOCHSCHILD: Thank you for those comments,
8 Commissioner.

9 I just wanted to make a few remarks. And then I
10 had a question I think for Delphine and David before we
11 move on. First, I just want to thank all the members of
12 public who took the time to speak today and speak from the
13 heart. And most especially I wanted to thank and
14 acknowledge the younger folks who called in. And thank you
15 for engaging in our public process and being a part of the
16 whole process.

17 Look, today that we are here in this situation
18 represents a collective failure and I feel that very
19 deeply, like that we're even forced in this situation not
20 enough was done. It's just collectively across the mosaic
21 of the energy agencies to once again be in this situation.
22 It's unacceptable to me to have the kind of conditions that
23 we're in now. And I got into this work building -- my
24 whole focus last 23 years coming out of San Francisco was
25 to build a future beyond fossil fuels, and a future that is

1 100 percent powered by clean energy.

2 In my hometown, like many citizens in California,
3 the two power plants we had were in lower income,
4 disadvantaged communities at Bayview-Hunters Point. And
5 they were diesel peakers at that time. That was the first
6 big energy battle I got involved in actually. Then Mayor
7 Newsom was dealing with that, and those are both actually
8 retired.

9 And I look forward to the day not just when these
10 three facilities are retired, but when all fossil fuel
11 generation is retired. We have to build that future and I
12 believe we can. What's aggravating for me is that we're
13 doing it, but we're late. I do want to acknowledge the
14 progress within this last few years, because energy
15 storage, getting to 8,000 megawatts of energy storage by
16 December, we were at 250 megawatts in 2019. That is a
17 3,200 percent increase in energy storage in four years.
18 But it's not enough to prevent what happened on July 20th,
19 which is an EEA 1 Alert, right? Our backs were against the
20 wall. And then again July 25th an EEA 1 watch, and then
21 again on July 26th.

22 And the outages themselves present justice issues
23 and challenges that are really significant when we're
24 talking about high heat conditions and so on. So it's an
25 impossible choice.

1 The thing I wanted to just drill down in a little
2 bit, if I could. And I'm not sure if this question, David,
3 is for you or for Delphine, but we are changing how these
4 facilities will operate. They're out of the resource
5 adequacy market. And they're going to be basically a break
6 glass in case of emergency resource. And so what is it
7 exactly that triggers that? Because we're expecting
8 basically that the facilities operate 2 to 5 percent of the
9 hours of the year roughly. But if you can add some
10 specificity, either one of you, to that it would be
11 helpful.

12 MS. HOU: Thank you for that, Chair Hochschild.
13 Delphine Hou, Department of Water Resources. Happy to
14 answer that question, though, I will have to say part of it
15 also involves me deferring to the CAISO.

16 But the agreement and the understanding is the
17 event --first of all as I mentioned the resources are
18 default-off. The grid operator would have to see an
19 extreme event. Now, as we all recognize these resources
20 take a long time to turn on. So for the events that you
21 just mentioned, the EEAs that occurred recently, they
22 happened in the moment. And they didn't last for more than
23 the limited amount of hours that was called out in those
24 events.

25 For an event like that, which the CAISO did

1 announce those emergency alerts, there would be no way to
2 turn on the OTCs and respond to it fast enough. So from
3 our perspective, the DWR's perspective, that wouldn't be a
4 successful use of the OTCs because they couldn't respond.

5 But the example that we go back to is last year.
6 At the end of August we can see a very large heatwave
7 coming. We knew it was impactful for the State of
8 California and potentially some of our neighbors. And as
9 we progressed through those days it got worse and worse and
10 worse and culminated in early September.

11 So in our minds in crafting the capacity
12 agreements with the OTCs and understanding the need for
13 them for extreme events that was the example that we looked
14 back to, as an event so large and persistent that it would
15 be worthwhile to turn on these OTC units. Because it takes
16 many hours to start them up, but because the event is so
17 large that we would need everything that we had.

18 So last year we had all of the resources on the
19 grid running, including batteries, including clean
20 resources, including imports, plus the OTCs. And even then
21 we had to resort to very, very extraordinary measures. So
22 those are the kinds of events in DWR's perspective would be
23 the type where these resources would be called.

24 Ultimately, it is up to the grid operator,
25 because DWR doesn't have any visibility into the grid

1 operations. But at the same time having DWR there with the
2 contract, this is also something that we can work together
3 on and have that visibility so that we understand the type
4 of event that we're going into.

5 CHAIR HOCHSCHILD: Yeah. Okay, really helpful.
6 Thank you Delphine.

7 I finally just wanted to acknowledge Vice Chair
8 Gunda. I mean, you have had an incredibly challenging job.
9 And I see the heart and passion you bring to build a clean
10 energy future every day. I want to just acknowledge the
11 fact that we're having this hearing right now with the
12 opportunity for public comment is because you fought for
13 that to be included in the process. That was you, that was
14 you. And so I do want to just acknowledge and name that.

15 And the challenge of sustaining grid reliability
16 is really, really hard. I think it's because there's so
17 many different things that intersect, and it has made it a
18 near impossible challenge. But it's essential, because we
19 need to electrify everything. We have to electrify a
20 heavy-duty truck, and we've got to electrify passenger
21 vehicles. We've got to electrify buildings, and do all
22 this. And so the future is going to run through electric
23 wires and not through pipes. But for that to be
24 successful, for that to prevail ultimately we have to have
25 a grid that is reliable. And it's an incredibly hard job.

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1 I just want to acknowledge how hard you've been working on
2 that. And thank you for that.

3 So I at this point -- oh, did you want to add one
4 other point?

5 COMMISSIONER MCALLISTER: I want to second that
6 for sure. And so I think we have to acknowledge that this
7 transition period that we're in, this five years, I mean, I
8 don't think any of us is willing to kind of predict exactly
9 what's going to happen tomorrow, but it's rockier than I
10 think any of us certainly would have hoped. But I think
11 then we expect it.

12 And so the point be that we're walking toward
13 that is not wavering. We're going to get to point B, which
14 is a zero-carbon economy. We're going to get there. We're
15 making investments and we're doing it. We don't know
16 exactly what the path is going to look like for the next
17 few years. But I think Vice Chair Gunda is the one who's
18 thinking the deepest thoughts about this and really
19 building relationships to navigate up that path and to
20 create that path. And I just want to acknowledge you for
21 that.

22 CHAIR HOCHSCHILD: Unless there's other comments
23 I'd welcome a motion on Item 6 from Vice Chair Gunda.

24 VICE CHAIR GUNDA: I move Item 6.

25 CHAIR HOCHSCHILD: Is there a second from

1 Commissioner McAllister?

2 COMMISSIONER MCALLISTER: I'll second Item 6.

3 CHAIR HOCHSCHILD: All in favor say aye.

4 CHAIR HOCHSCHILD: Vice Chair Gunda?

5 VICE CHAIR GUNDA: Aye.

6 CHAIR HOCHSCHILD: Commissioner McAllister?

7 COMMISSIONER MCALLISTER: Aye.

8 CHAIR HOCHSCHILD: Commissioner Monahan?

9 COMMISSIONER MONAHAN: Aye.

10 CHAIR HOCHSCHILD: And I vote aye as well. Item
11 6 passes 4-0.

12 We're going to adjourn for lunch if we could do
13 it shorter. And we'll take up Item 7 at 3:00 o'clock.
14 Does that sound good? Okay, thanks.

15 (Off the record at 2:13 p.m.)

16 (On the record at 3:09 p.m.)

17 CHAIR HOCHSCHILD: While we're waiting do you
18 just want to introduce yourself and your background a
19 little bit?

20 MS. BRAND: Okay. So I'm Erica Brand. I'm a
21 Project Manager in the Siting, Transmission, and
22 Environmental Protection Division's Climate Initiatives
23 Branch.

24 MS. BADIE: We're ready, thanks.

25 MS. BRAND: Okay. All right, so hello Chair,

1 Vice Chair and Commissioners. I just introduced my role
2 here at the Energy Commission.

3 As the 2025 SB 100 report co-project manager and
4 STEP Division's Unit Lead on land use and infrastructure
5 planning, we have been using geospatial or map-based
6 Geographic Information System tools to model opportunities
7 and constraints for renewable resource technical potential
8 in California. This information is being used to update
9 the land use screens for electric system planning.

10 I am here to provide an informational overview of
11 this work. Next slide, please.

12 For over ten years, the California Energy
13 Commission, the California Public Utilities Commission, and
14 the California Independent System Operator have used
15 spatial environmental and land-use data to inform electric
16 system planning. And help system planners focus on areas
17 that have a greater potential for successful deployment of
18 new utility-scale renewable energy capacity and electric
19 transmission.

20 The use of land-use screens in electric system
21 planning has shown improvements in planning for renewable
22 energy and transmission deployment, increasing transparency
23 and data access, advancing local, state, and federal
24 collaboration, and supporting natural resource conservation
25 and climate goals. Next slide.

1 A land use screen is a term that describes a set
2 of land use assumptions that inform electricity modeling
3 and resource planning. They are map-based footprints
4 delineating important environmental and physical
5 characteristics of the land. The screens are assembled
6 from an integration of raw data into modeled results at the
7 statewide scale and they can help show land access
8 limitations or competing land-use priorities.

9 Land-use screens apply this map-based data to
10 estimate how much utility-scale solar, onshore wind, and
11 geothermal resource potential might be feasible from
12 specific regions of California, after factoring in land-use
13 considerations such as protected areas like a National
14 Park, areas of high biodiversity or connectivity, and lands
15 used to produce food crops. The map on the left
16 demonstrates how map-based data representing these factors
17 are assembled to create a screen at the statewide scale.

18 A key finding from the 2021 SB 100 report was
19 that sustained record-setting renewable generation and
20 storage capacity build rates will be required to achieve SB
21 100. This increase in new renewable generation and storage
22 capacity means an increase in the land area required for
23 new infrastructure.

24 Recognizing the potential land use implications
25 of the resource build to achieve SB 100, an update to the

1 land use screen methods and data was needed to inform
2 future cycles of electric system modeling and resource
3 planning including the upcoming SB 100 report. Next slide,
4 please.

5 The land-use screens were last updated by the
6 agencies more than five years ago. In that time, there
7 have been several new policy developments and executive
8 actions, which warranted a refresh of the data and methods
9 used to develop the screens. This includes the passage of
10 SB 100 and the recently enacted SB 1020, and Executive
11 Order N-82-20, which set a state goal to conserve at least
12 30 percent of California's land and coastal waters by 2030.

13 Over the past year and a half, CEC staff have led
14 a public and interagency process to update the land-use
15 screens. In that time staff coordinated with and received
16 input from ten state and federal agencies, held four public
17 workshops, released a draft staff report and draft online
18 web mapping application, held two tribal listening sessions
19 and tribal consultation to learn how to improve the land
20 use evaluation for SB 100 planning, and held many direct
21 meetings with interested parties and members of the public.
22 Throughout that time we coordinated with the Vice Chair's
23 Office and they asked for revisions and extension of time
24 to ensure that staff could adequately address all public
25 questions and recommendations.

1 The update to the land-use screens culminated
2 with a final staff report and online web mapping
3 application, which were released on July 18, 2023. Next
4 slide, please.

5 The land-use screens final report, which is
6 available now, describes the updates to the data and
7 methods for developing the land-use screens. In this
8 update, staff developed two screens for use in electric
9 system planning.

10 The first screen is the "Core Land-Use Screen."
11 This screen addresses several state policy priorities,
12 including deploying renewable resources, protecting natural
13 lands that support biodiversity, and sustaining
14 agriculture. CEC staff recommend use of the Core Screen as
15 the primary set of land use assumptions in electricity
16 modeling and resource planning, such as SB 100 modeling and
17 the CPUC's Integrated Resource Planning process.

18 The second screen is the "Terrestrial Climate
19 Resilience Screen." This screen addresses the same
20 priorities as the Core Screen, plus the addition of
21 statewide information about lands that have a higher
22 probability of service as refugia for wildlife adapting to
23 climate change. Refugia are areas relatively buffered from
24 the effects of climate change, where the conditions will
25 likely remain suitable for the current array of plants and

1 animals that reside within a location. CEC staff recommend
2 using this screen or set of land-use assumptions as a
3 sensitivity or study case in SB 100 modeling to explore
4 land-use tradeoffs. Next slide, please.

5 As previously mentioned, CEC staff led by our GIS
6 team who is here with me today, developed an online web
7 mapping application that allows the public to explore and
8 interact with the map-based data that are used by multiple
9 agencies in the land-use screens. This is the first time
10 that all the map-based data in the land-use screens have
11 been made available in a single platform, increasing access
12 and transparency.

13 As shown on this slide is a screenshot of the
14 online web mapping application and the link to where you
15 can find it. In this still image here I selected two of
16 the data sets. You can see a drop-down menu with multiple
17 options. I've selected in purple critical habitat, and
18 areas with the highest ranking for biodiversity in gray,
19 from data provided by the California Department of Fish and
20 Wildlife. These are areas where there may be constraints
21 that should be considered in resource planning. Next
22 slide, please.

23 Okay. Staff plan to add the final staff report
24 and web mapping application to the CEC's new California
25 Energy Planning Library, an online platform available from

1 the CEC's webpage. The California Energy Planning Library
2 aims to house data in an easily navigable and explorable
3 way, as data are key to an equitable energy transition and
4 to bringing clean, reliable, and affordable energy to all
5 Californians.

6 And as I mentioned earlier, these updated land-
7 use screens will be used in modeling for the next SB 100
8 Joint Agency Report.

9 Now, I'd like to invite our collaborator from the
10 CPUC, Jared Ferguson, up to the podium to say a few words
11 about how the land-use screens will inform CPUC processes.

12 MR. FERGUSON: Thank you, Erica. And good
13 afternoon, Commissioners. I'm Jared Ferguson. I'm a
14 Senior Analyst with the Integrated Resource Planning Team
15 in the Energy Division at the California Public Utilities
16 Commission. CPUC staff are greatly appreciative of the
17 more than a yearlong effort by CEC staff to develop these
18 new land-use screens. And are thankful for the close
19 collaboration with the CPUC staff engaging with us from the
20 beginning in developing these screens, which are an
21 integral part of our planning process.

22 Integrated Resource Planning, or IRP, centers on
23 long-term electricity planning and procurement for CPUC
24 jurisdictional load serving entities. IRP develops optimal
25 cost effective resource portfolios to meet both reliability

1 and greenhouse gas reduction goals. And works to ensure
2 that load serving entities plan for, and if necessary,
3 procure the resources needed to meet those goals.

4 The land use screens are a key input into this
5 process. The screens are used to develop our estimated
6 resource potentials, the location and megawatt amount of
7 new solar wind and geothermal that could be developed in
8 the State of California. And this feeds into our modeling
9 efforts to develop these IRP plans, which lead to that
10 planning and procurement by LSCs.

11 The land use screens are also an integral part of
12 our portfolio development for the California ISOs
13 transmission planning process. These screens are utilized
14 in a joint CPUC, CEC and CAISO busbar mapping effort that
15 identifies specific substations that are best suited for
16 future renewable development with these screens being a key
17 input into that. The ISO then uses that mapping
18 information to study future transmission needs and if
19 necessary, approve new transmission development.

20 I again thank the Commission for all the hard
21 work that CEC staff have put into developing these screens.
22 And I thank you for this opportunity for few quick minutes
23 to comment.

24 Back to you, Erica.

25 MS. BRAND: Okay, so that concludes my

1 presentation, we can go to the next slide. And I'm happy
2 to answer any questions. Thank you.

3 CHAIR HOCHSCHILD: Thanks so much.

4 Let's go to questions from the Commissioners.
5 Commissioner McAllister?

6 COMMISSIONER MCALLISTER: No questions.

7 CHAIR HOCHSCHILD: Vice Chair Gunda?

8 VICE CHAIR GUNDA: Thank you, Chair. I just
9 wanted to start by saying thank you, and continue. Is this
10 just an informational item or?

11 CHAIR HOCHSCHILD: Yes.

12 VICE CHAIR GUNDA: So I'm just going to provide
13 some comments. Along with you, Elizabeth Huber, Erica,
14 obviously your team: Sofia, Travis, and Gabriel, thank you
15 so much for all the work.

16 First of all I want to extend the thanks to
17 taking the additional time after we got the input to work
18 with stakeholders on improving the screens and putting them
19 out. I think to the points that were made today, I think
20 it's so important for us to have both a short-term and
21 long-term planning activity that's consistent. And so many
22 of these, whether it's demand scenarios, whether it's the
23 land use screens, whether it's, you know, loss of
24 expectation (indiscernible) on different resources,
25 whatever it might be it's really helpful to have consistent

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1 assumptions that can both go through IRP, but also broader
2 SB 100 process. So I'm incredibly thankful for all the
3 work, really appreciate the web-mapping application, and
4 kind of putting that into the overall library.

5 So I just want to say big thanks to you, and
6 congratulations to the team. I really want to thank CPUC
7 staff for the incredible work that you all do, but also the
8 collaboration that you built with the CEC staff on this
9 issue. So I'm really looking forward to using them in the
10 SB 100 report. So thank you.

11 MS. BRAND: Thank you.

12 CHAIR HOCHSCHILD: Any other questions,
13 Commissioner McAllister?

14 COMMISSIONER MCALLISTER So yeah, I just wanted
15 to acknowledge Vice Chair Gunda's office on leading on the
16 oversight of this.

17 And just I want to just demonstrate or manifest
18 that I really appreciate the sort of evolution of our GIS
19 work, and our mapping work. It's always been great in
20 terms of the electric system. But I think as we develop
21 those resources, they're going to be useful for all sorts
22 of things. Not only with the joint work with the PUC, but
23 I think, you know, sort of with echoes of Commissioner
24 Karen Douglas when she was here with the DRICP (phonetic)
25 and sort of starting to really build these resources as an

1 integral tool for many, many efforts of the state's
2 planning.

3 And I'm actually excited to use this resource or
4 these resources as sort of complementary to much of our
5 buildings work, because I think there's just a lot of a lot
6 of interesting analysis we can do that allows us to
7 appreciate the impacts. And do really targeted initiatives
8 that have a geographical focus. So I think, I'm looking
9 forward to delving into some of those topics. Thank you.

10 CHAIR HOCHSCHILD: Thank you, Erica. And thank
11 you as well to our friends at the PUC, great progress and
12 appreciate the updater with that.

13 With that let's turn now to Item 8, Order
14 Instituting Rulemaking, Alejandro Galdamez.

15 MR. GALDAMEZ: Good morning, Commissioners. My
16 name is Alejandro Galdamez. I'm a Mechanical Engineer
17 working for the Appliances office in the Efficiency
18 Division.

19 Staff is seeking approval of an Order Instituting
20 Rulemaking covering four appliances used in the food
21 service industry. Next slide, please

22 The OIR may lead in the establishment of future
23 efficiency standards, test procedures, marking
24 requirements, certification requirements, and/or any other
25 appropriate regulations for commercial dishwashers,

1 commercial steam cookers, commercial convection ovens, and
2 commercial fryers.

3 The purpose is to reduce the wasteful,
4 uneconomic, inefficient, or unnecessary consumption of
5 energy and, where applicable, water consumption in the
6 State of California. Preliminary data analysis for the
7 four appliances suggests benefits for Californians in large
8 potentials in energy and water savings, as well as
9 supporting California's decarbonization objectives. Next
10 slide, please.

11 These appliances have a potential savings of
12 around 548 Gigawatt hours per year in electricity,
13 approximately 46 million therms per year of natural gas,
14 and with a possible 1.5 billion gallons of water savings
15 per year. Next slide, please.

16 This table breaks down the potential savings for
17 the four appliances we are discussing. Although we didn't
18 have data to calculate indirect benefits, we do expect
19 indirect benefits for some of these appliances. For
20 example, we expect additional savings in natural gas for
21 commercial dishwashers due to the reduction in hot water
22 demand by the appliance. Next slide, please.

23 Staff recommends the approval of the order
24 instituting rulemaking for the commercial food service
25 equipment appliances. And the next steps will include

1 identifying stakeholders, conducting outreach, and
2 information gathering including proposals, followed by data
3 analysis and the drafting of the staff report. Next slide,
4 please

5 With that I conclude my presentation and I'm here
6 for any questions.

7 CHAIR HOCHSCHILD: Great. I just wanted to name
8 -- I really appreciate you calling out the separate savings
9 of natural gas to heat water. When you're saving water
10 you're also -- and when you're saving hot water, you're
11 also saving natural gas. So thank you for that.

12 Let's go to Commissioner discussion starting with
13 Commissioner McAllister.

14 Oh, sorry, this is a voting item. My mistake,
15 sorry, let's go to public comment.

16 MS. BADIE: Thank you. This is Mona Badie, the
17 Public Advisor. The Commission now welcomes public comment
18 on Item 8. If you're in the room, please use our QR codes.
19 Dorothy is seated in the back table to help if you need
20 assistance with that. And also if you're on Zoom online,
21 you can use the raise hand feature. It looks like an open
22 palm on your screen. And if you're joining us by phone
23 press *9 to let us know you'd like to make a comment.

24 And I'm just checking our queues here. There are
25 no comments for this item. Back to you, Chair.

1 CHAIR HOCHSCHILD: Okay, let's go to Commissioner
2 discussion starting with Commissioner McAllister.

3 COMMISSIONER MCALLISTER Well, Alex, thank you
4 very much. I have been keeping track of this and got a
5 nice briefing recently about this item. I think, you know,
6 food service can be challenging. Restaurants use a lot of
7 gas and electricity and they're very dense energy users.
8 And I think this is a great -- well staff is in a lot of
9 sort of groundwork to identify the end uses and really lift
10 up the ones that look like they might be good targets for
11 efficiency regulations. And I think, you know, I fully
12 support this and I have all the confidence in staff's
13 ability to manage the rest of the rulemaking.

14 CHAIR HOCHSCHILD: Okay, unless any -- oh, go
15 ahead, Vice Chair.

16 VICE CHAIR GUNDA: Maybe this is Commissioner, to
17 you more or Commissioner McAllister are just like to be for
18 commercial buildings we've had NBI for example, pulling
19 together hundreds of data points on improving efficiency.
20 Do we currently have those kind of stuff for food or is it
21 completely new for us? Like best practices, best cases?

22 COMMISSIONER MCALLISTER Well, maybe ask staff.
23 I mean we have it's kind of a hodgepodge of information
24 from the sous for example. So there's some understanding
25 there broadly.

1 You know, we don't have it -- restaurants,
2 foodservice comes in all sizes. So to the extent that
3 there's commercial facilities that are foodservice that are
4 larger than like 50,000 square feet, then they would be in
5 our benchmarking program, for example.

6 And then in terms of sort of strategies for food
7 service, I'm not sure we have anything.

8 MR. GALDAMEZ: No, we don't. That's why we're
9 needing this. But that includes institutional also, not
10 only commercial. So it includes prisons, hospitals, and so
11 forth. So we're looking at the whole universe of that and
12 then trying to see which -- and these ones, we through a
13 scoring system when selecting the few of the 20 plus ones
14 that I analyzed and look for the data.

15 COMMISSIONER MCALLISTER Right. This is this is
16 not buildings, right? This is end uses, specifically end
17 uses so these are some very common end uses in various
18 foodservice.

19

20 19:17

21 CHAIR HOCHSCHILD: All right, unless there's
22 other discussion would you want to make a motion to Item 8?

23 COMMISSIONER MCALLISTER I'll move Item 8.

24 CHAIR HOCHSCHILD: Is there a second, Vice Chair
25 Gunda?

1 VICE CHAIR GUNDA: Second 8.

2 CHAIR HOCHSCHILD: All in favor say aye.

3 Commissioner McAllister?

4 COMMISSIONER MCALLISTER: Aye.

5 CHAIR HOCHSCHILD: Vice Chair Gunda?

6 VICE CHAIR GUNDA: Aye.

7 CHAIR HOCHSCHILD: Commissioner Monahan?

8 COMMISSIONER MONAHAN: Aye.

9 CHAIR HOCHSCHILD: And I vote aye as well, Item 9

10 passes 4-0. Thank you.

11 MR. GALDAMEZ: Thank you.

12 CHAIR HOCHSCHILD: Thanks, Alex.

13 We'll turn now to Item 9, Title 20 Home Energy

14 Rating System Regulations. So welcome, Joe Loyer, to

15 present.

16 MR. LOYER: Hello Chair, Vice Chair and

17 Commissioners. I am Joe Loyer, Senior Mechanical Engineer

18 from the Standards Compliance Branch of the Efficiency

19 Division.

20 I am here to present staff's recommendation

21 regarding the rulemaking to amend the Home Energy Rating

22 System (HERS) Regulations. With me here is Matthew

23 Pinkerton, and Linda Barrera from the Chief Counsel's

24 Office. Next slide, please.

25 This rulemaking benefits Californians in three

1 important ways. First, it clarifies the distinction
2 between the HERS whole-house program, which is a voluntary
3 program meant to provide homeowners with a comparative
4 rating considering their home as an asset under a standard
5 energy use criteria for an apples to apples comparison of
6 homes across California,

7 And the Field Verification and Diagnostic
8 Testing, FV&DT program, which is a mandatory program
9 required to demonstrate compliance with the Energy Code for
10 newly constructed homes or additions and alteration to
11 existing homes.

12 This will allow the Energy Commission to regulate
13 these two distinct programs independently.

14 Second, it will enable the Energy Commission to
15 improve consumer understanding of both the HERS and FV&DT
16 programs through more focused outreach efforts separately
17 for each program.

18 And third, it will allow the Energy Commission to
19 better align the FV&DT program with the Energy Code, as the
20 Energy Code is updated every three years, without impacting
21 the HERS whole-house program. Next slide, please.

22 Staff is engaged in two rulemaking at this time.
23 This rulemaking for Title 20 is to repeal specific
24 administrative requirements pertaining to the FV&DT
25 program.

1 There is a separate rulemaking for the Energy
2 Code (Title 24, Parts 1 and 6 to incorporate those
3 administrative requirements as well as other requirements
4 meant to improve the FV&DT program.

5 There will be no regulatory gap because the
6 rulemakings will both become effective at the same time on
7 January 1, 2026.

8 Adopting the Title 20 rulemaking today will
9 achieve the following goals. Separating the voluntary HERS
10 whole house program from the mandatory FV&DT compliance
11 program. Removing the FV&DT administrative provisions from
12 Title 20. And keeping the HERS whole house program
13 separate and intact in Title 20. Next slide, please.

14 In May of 2022 staff opened the pre-rulemaking
15 for the Title 20 rulemaking publishing the first draft of
16 the staff report in October of 2022.

17 Formal rulemaking began on February 10, 2023.

18 Staff received 179 comments during the 45-day
19 comment period. One-hundred-seventy of these comments
20 requested staff to clarify that removal of provisions from
21 Title 20 will not become effective until the 2025 Energy
22 Code becomes effective, which is expected to be January 1,
23 2026. Many of these commentors were under the impression
24 that the FV&DT regulations were being eliminated.

25 In response to these comments, staff made minor

1 revisions to the proposed language to clarify that both
2 rulemakings will go into effect at the same time provided a
3 15-day comment period, engaged in outreach to inform
4 stakeholders that this rulemaking will have no substantive
5 effect on either the HERS program or the FV&DT program.

6 Staff received no additional comments during the
7 15-day comment period. Next slide, please.

8 Staff recommends that the Energy Commission adopt
9 the Title 20 HERS Rulemaking and adopt staff's
10 determination that this action is exempt from CEQA.

11 I am available to answer any questions.

12 COMMISSIONER MCALLISTER Thanks a lot, Joe. So
13 we do have Linda and Matthew here, but I think we'll go to
14 public comment first and then see if there any replies to
15 the public comment.

16 MS. BADIE: Thank you. This is Mona Badie again,
17 the Public Advisor. The Commission now welcomes public
18 comment on Item 9. If you're in the room, we ask that you
19 use this QR code to notify us you'd like to make a comment.
20 And if you're on Zoom, please use the raise hand feature if
21 you're online, it looks like an open palm. Or press *9 if
22 you're joining us by phone.

23 In the room, we have a Shelby Gatling. Shelby,
24 if you can please approach the podium. Please spell your
25 name for the record, provide us any affiliation, make sure

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1 the green light is on.

2 MS. GATLIN: Okay, my name is Shelby Gatlin. I'm
3 with CalCERTS, S-H-E-L-B-Y G-A-T-L-I-N. CalCERTS has been
4 working with the Commission on the first program since
5 2003, so two decades. I want to thank Commissioner
6 McAllister for his stewardship of the program and the
7 collaboration that the program requires.

8 We have over 1,800 registered HERS companies,
9 over 28,000 registered builders, more than 8,000 energy
10 consultants, and more than 24,000 installers. We have 408
11 building departments working with us, registered with our
12 registry. With the resolution before you today you're
13 agreeing to repeal a program that based on simple math
14 impacts the State of California annually over \$80 million.
15 These businesses deserve your careful consideration.

16 Aside from the raters and the rating companies,
17 this program impacts every homeowner, every renter, every
18 person who's sat through a brownout when everybody in their
19 community turns on their HVAC systems.

20 The resolution before you is unorthodox. It's
21 repealing a program before a new program is fleshed out and
22 adopted. It concludes there are no impacts to removing
23 HERS, but those findings are a little bit hollow since we
24 don't know the details of the new program. We are working
25 with the Commission on that new program and we very much

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1 want to see it happen. And it's imperative that we get the
2 right experts to the table. This is not the ATTCP program.
3 There are some misunderstandings in the staff report and we
4 are happy to work with the Commission on that.

5 Thankfully through Commissioner McAllister's
6 invitation we were able to meet with the staff on July 12.
7 Since that meeting, CalCERTS has been issuing data and
8 information and suggestions on how to adopt the new
9 program. But if you adopt the resolution today, the HERS
10 program must not be left in limbo. The program must
11 continue to be supported as it is today and not be waiting
12 until 2026 or until this new program is adopted.

13 We thank the Commission for the opportunity to
14 work with staff, but there's a lot of work to do to meet
15 the time table that is out there. And there's a lot of
16 businesses, small businesses in limbo. Thank you.

17 MS. BADIE: Thank you.

18 There are no raised hands on Zoom. Back to you,
19 Chair.

20 CHAIR HOCHSCHILD: Okay. Let's go to Commission
21 -- actually, would staff like to respond to any of those
22 points brought up?

23 MS. BADIE: Sorry, Chair. when I was saying
24 that one hand got raised.

25 CHAIR HOCHSCHILD: Okay, let's go to that

1 comment. Yeah.

2 MS. BADIE: Okay. We have Kevin Kane on the
3 line. Kevin, I want to open your line. Please spell your
4 name for the record, provide any affiliation, please limit
5 your comments to two minutes or less.

6 MR. KANE: Okay. Thank you, and thank you for
7 the opportunity to speak. This is Kevin Kane. That's K-E-
8 V-I-N and Kane, K-A-N-E. My only comments I wanted to add
9 to this discussion is we also want to thank Mr. McAllister
10 for the stewardship, as well as the support from the staff
11 on our July 12 meeting that we participated in. That was
12 very productive and I think we got a lot of confusing
13 comments cleared up, as it relates to any potential gaps
14 that I think was being interpreted by this exercise.

15 And so I guess my comments really aren't -- it's
16 more of a question than it is a comment. And my
17 recollection from our July 12 meeting is that in the event
18 that some of these proposals were not to be moving forward
19 or got delayed for whatever reason, I understood that to
20 mean that the existing regulations and rules will be then
21 enforced. And so I was hoping for some clarity on that, to
22 make sure that was my understanding that I have that
23 correct.

24 And then secondly, as I'm sure that CalCERTS
25 would agree that our intention here is to support the HERS

1 industry, and to support all the different small businesses
2 that they make up. I don't have all of our numbers at the
3 ready, but I know we have an exhaustive list of customers
4 on the alterations and new construction side. We're here
5 to support all of them to make sure that what we're
6 intending to do is ensure that compliance with Energy Code
7 is there and that we have the right types of QA programs to
8 make sure that the processes that we are putting in place
9 are enforced. And it's our understanding that with the
10 movement of the FV&DT to the Title 24 side, that that
11 enables the opportunity for that to be consistently updated
12 with the Energy Code on a three-year timeframe.

13 And so I guess back to the question I'll pose
14 again before my time runs out, and that is if this was not
15 passed, will the previous regulations and rules be
16 enforced, so that there isn't a gap in the actual
17 administration of the program?

18 Thank you for your time.

19 MS. BADIE: Thank you.

20 That concludes public comment. Back to you,
21 Chair.

22 CHAIR HOCHSCHILD: Thank you. Let's go to
23 Commissioner McAllister.

24 COMMISSIONER MCALLISTER Well, thanks. Thanks,
25 Shelby and Mr. Kane. I really appreciate your comments.

1 And thanks, Joe, for the presentation. And I've been
2 working with staff very closely for quite a while on this.
3 And know there's many moons to come to work through all of
4 these all these efforts.

5 I did -- and so I'm not the best person to talk
6 about sort of the legal piece of this, but I think high
7 level -- and I welcome Linda or Matthew to sort of correct
8 me or expand on this, or Joe. There are really two things
9 happening here. One is sort of putting the right rules in
10 the right places instead, in the regulatory landscape. And
11 so moving the field verification and diagnostic testing
12 work, which is fundamentally about code compliance, into
13 the code parts of Title 24 versus Title 20 where it's kind
14 of out of place. So that's one thing. And that's kind of
15 what we're doing here. We're just sort of putting the
16 pieces of our buildings work in the right places. Sort of
17 just making things more rational.

18 Then along so we're aligning the field
19 verification and all the code compliance work with what
20 happens in Title 24, every three years with the update. So
21 some of the urgency here is to get that done for the 2025
22 update. So but this in no way is eliminating the program.
23 It's not creating a gap. And, you know, Linda and team can
24 talk about the OEL conversation.

25 It's just to say, look, we're going to -- we plan

1 to develop a reformed program that will go into effect. If
2 that doesn't happen then the existing regs, to the previous
3 comment, the status quo reigns. So there will be no gap.
4 And that's, you know, I think that's a surety.

5 So anyway I don't know if our legal team wants to
6 expand on that. But there's sort of there's a regulatory
7 reason for this process. But there's also a process and
8 program improvement reason, which is the conversation to
9 come in the Title 24 context, which is not what we're
10 talking about today.

11 MR. LOYER: Right? So you're absolutely right, if
12 the changes that we're proposing in Title 24 do not go
13 forward for whatever reason, or Title 24 for whatever
14 reason does not go forward, the changes that we're
15 proposing here today to be adopted will simply revert back
16 to the original. We've set up the changes to be triggered
17 upon the adoption of Title 24. So there will be no gap in
18 the consideration.

19 So, Linda, you wanted to say something?

20 MS. BARRERA: I have very little to add, because
21 the way you explained what the proposed regulations do is
22 totally correct. I also wanted to note, and I wanted to
23 thank CalCERTS because due to their comments and the
24 community that they rallied to provide input to us, we were
25 able to actually make the 15-day language even more precise

1 to ensure that if there's no changes to Title 24 the
2 current Title 20 Regulations will remain in effect. So
3 there's absolutely no gap. And we were diligent in
4 consulting with OAL to ensure it, which is the Office of
5 Administrative Law, to ensure that our proposed language
6 was solid.

7 COMMISSIONER MCALLISTER Great. So if there's a
8 perception of sort of being out of phase with the overall
9 sort of movement here, it's really we wanted to kind of get
10 this cleanup done. And then move on to the substance in
11 working with the providers and all the other stakeholders
12 to really figure out how to make the program, sort of adapt
13 the program to our current needs. And our future needs as
14 we go and really invest a tremendous amount of money into
15 our existing buildings primarily. But also, you know,
16 really get the new buildings and make sure that they're in
17 full compliance with the code as well.

18 So I think the hardest part of this conversation
19 is to come, and it's not what we're voting on today, right?
20 We're voting on kind of a cleanup today in Title 20. The
21 Title 24 piece of it is ongoing and will be with us until
22 we adopt the overall Title 24 code update in some months.
23 So that's really, in my view, that's the substantive piece.
24 That's, that's, you know, super important to get right.

25 And I will just acknowledge the urgency and the

1 complexity of this. And, Shelby, I want to just make sure
2 that you feel heard here. Because I agree with you that
3 all the stakeholders out there, the HERS raters, the
4 builders, the homeowners, the residents, all of those have
5 a big stake, local governments, local jurisdictions. I
6 mean, there's a lot of stakeholders here across the state.
7 Perhaps more than almost any other activity we do here at
8 the Energy Commission.

9 So that process is to -- we're in the middle of
10 it, but it's much to come. So definitely just want to
11 manifest our commitment to get it right.

12 So I don't know, I think are you done, Joe?

13 MR. LOYER: Yes.

14 COMMISSIONER MCALLISTER: Okay, so I think that's
15 -- I think I'm good and happy to have other Commissioners
16 weigh in.

17 CHAIR HOCHSCHILD: Vice Chair?

18 VICE CHAIR GUNDA: Yes. Thank you, Commissioner
19 McAlister for kind of laying that out. That was really
20 helpful.

21 And just Commissioner McAllister, to your point
22 just kind of thinking through to the comments that were
23 made by Shelby and the commentators online, just the
24 process is in place to continue with the current status quo
25 for a while until a new process or new design is set up.

1 COMMISSIONER MCALLISTER Yes, that's correct.
2 And if and if for whatever reason that doesn't happen, then
3 the status quo just continues on. So I don't think that'll
4 be the case, but I think that that's the sort of failsafe
5 that we've built in.

6 VICE CHAIR GUNDA: Thank you.

7 COMMISSIONER MCALLISTER: Yeah.

8 CHAIR HOCHSCHILD: Unless there's further
9 Commissioner discussion I welcome a motion from Commission
10 McAllister on Item 9.

11 COMMISSIONER MCALLISTER: I move Item 9.

12 CHAIR HOCHSCHILD: Is there a second from the
13 Vice Chair?

14 VICE CHAIR GUNDA: Second.

15 CHAIR HOCHSCHILD: All in favor say aye.
16 Commissioner McAlister.

17 COMMISSIONER MCALLISTER: Aye.

18 CHAIR HOCHSCHILD: Vice Chair Gunda.

19 VICE CHAIR GUNDA: Aye.

20 CHAIR HOCHSCHILD: Commissioner Monahan?

21 COMMISSIONER MONAHAN: Aye.

22 CHAIR HOCHSCHILD: And I vote aye as well. Item
23 9 passes 4-0.

24 I'll turn now to Item 10 and Antora Energy.
25 Welcome, Anthony Ng.

1 MR. NG: Thanks. Good afternoon, Chairman,
2 Commissioners. My name is Anthony Ng with the Energy
3 Research and Development Division. And today I am here
4 today to request approval of a \$3 million grant to Antora
5 Energy. Next slide, please.

6 The expected benefits of this project include
7 improved grid reliability through the greater deployment of
8 long-duration storage technologies, improved local air
9 quality through industrial decarbonization, as well as
10 increased manufacturing jobs in California. Next slide,
11 please.

12 So starting with a brief technology overview,
13 Antora has developed a long-duration thermal battery which
14 is charged using electricity to resistively heat solid
15 blocks of carbon until they get to a very high temperature.
16 The system is able to store that thermal energy. And they
17 can either deliver it as industrial heat or as electricity,
18 depending on customers' needs.

19 A key to that second part, the heat-to-
20 electricity conversion, is Antora's innovative high-
21 efficiency thermophotovoltaic heat engine. Also known as
22 TPV. Now TPV operates similarly to traditional solar
23 cells. However, instead of converting the visible spectrum
24 into electricity, TPV primarily converts the infrared
25 spectrum, the thermal part, into electricity.

1 And the picture on the right there is a picture
2 of their pilot site getting installed in Fresno,
3 California. Next slide, please.

4 So the purpose of this project is to demonstrate
5 a new manufacturing method for these TPV cells. Now
6 currently Antora is able to produce their TPV using an
7 expensive substrate, indium phosphide, that is destroyed
8 during the manufacturing process.

9 This project will demonstrate a new manufacturing
10 process called epitaxial liftoff or ELO. And this will
11 enable them to reuse the expensive substrate, essentially
12 amortizing the most expensive part of the manufacturing
13 process. And this can drive down the cost of their systems
14 significantly. And this will also be expanding their
15 current existing manufacturing capacities in Sunnyvale,
16 California. Next slide, please.

17 So scaling the ELO process is expected to
18 significantly reduce system costs. Antora believes that by
19 demonstrating just four reuses of the substrate, they can
20 drive their capital expense of their system to \$15 per
21 kilowatt hour. Currently it's hovering around \$35 per
22 kilowatt hour with their current manufacturing process.

23 And Antora also believes that this process will
24 allow them to expand their addressable market in the
25 industrial power sector from approximately 2 gigawatts to

1 over 78 gigawatts throughout the United States. Next
2 slide, please.

3 That concludes my presentation. I recommend
4 adopting staff's determination that this project is exempt
5 from CEQA and approving the grant agreement. I am happy to
6 answer any questions.

7 CHAIR HOCHSCHILD: Thank you.

8 And is there public comment on Item 10?

9 MS. BADIE: Thank you. This is Mona Badie, the
10 Public Advisor. The Commission now welcomes public comment
11 on Item 10. If you're in the room, please use our QR
12 codes. And if you're on Zoom, we ask that you use the
13 raise hand feature or *9 if you're on the phone.

14 And I'm not seeing anyone raising their hand, so
15 back to you, Chair.

16 CHAIR HOCHSCHILD: Yeah. So thank you, Anthony,
17 for the presentation. I once again had -- this is a new
18 technology category. I've never heard of
19 thermophotovoltaic before and so very eager to see what
20 fruit this bears.

21 Commissioner McAllister, any comments?

22 COMMISSIONER MCALLISTER Yeah. Just this is
23 super intriguing and the fact that we can potentially have
24 a photovoltaic technology that does not depend on direct
25 sunlight really opens up tons of possibilities. And gets

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1 us around some of the issues that we have with the midday
2 overproduction. So I think that's a -- is the, maybe one
3 question. What is the thought about the sort of first lime
4 sources of heat that would be charging the thermal storage?

5 MR. NG: Yeah, Antora's primary business model
6 is, at least initially, is it's essentially a CHP product,
7 right. And so looking for customers that have the appetite
8 for increased renewable energy to deploy on their
9 facilities, but can't due to the intermittent nature. And
10 so they would be using ideally green energy to charge the
11 battery into the heat and then can either turn that heat
12 back into process heat or electricity.

13 COMMISSIONER MCALLISTER Okay, so waste heat used
14 for this purpose. That's cool. And potentially you could
15 use thermal, solar thermal, or whatever other source of
16 heat. That's great. Thank you.

17 (Overlapping colloquy.)

18 CHAIR HOCHSCHILD: Keep us posted on the
19 progress. Unless there's other -- oh, Vice Chair?

20 VICE CHAIR GUNDA: Thank you for the
21 presentation. I had to look up what epitaxial was. I
22 didn't know what that meant. But I just wanted to take
23 this moment to say thanks for the R&D program. I mean,
24 like most R&D projects we kind of hit equilibrium. And
25 then you see a bunch of projects that like are not

1 necessarily that new in context. And it's so easy to take
2 it for granted how important the R&D program is. And
3 probably two years from now people will see a few success
4 projects under this umbrella. And they're like
5 everything's okay, but you know it takes a huge step to
6 start this. Thank you so much.

7 MR. LOYER: Yeah, actually, just one last note
8 before I forget, earlier today we heard an informational
9 item from Eric about our partnership with ARPA-E. This is
10 a great example. ARPA-E had initially supported Antora in
11 the early developments of the kind of fundamental science
12 and we've been able to support them for the last several
13 years too. So a good example of kind of state and federal
14 partnership in deploying a really cool technology.

15 CHAIR HOCHSCHILD: Okay, anything else? (No
16 audible response.) Thank you, Anthony.

17 With that I welcome a motion.

18 COMMISSIONER MCALLISTER: I move Item 10.

19 CHAIR HOCHSCHILD: On Item 10 from Commissioner
20 McAllister.

21 VICE CHAIR GUNDA: Second.

22 CHAIR HOCHSCHILD: A second from Vice Chair
23 Gunda.

24 All in favor say aye, Commissioner McAlister.

25 COMMISSIONER MCALLISTER: Aye.

1 CHAIR HOCHSCHILD: Vice Chair Gunda.

2 VICE CHAIR GUNDA: Aye.

3 CHAIR HOCHSCHILD: Commissioner Monahan?

4 COMMISSIONER MONAHAN: Aye.

5 CHAIR HOCHSCHILD: And I vote aye as well. That
6 item passes 4-0.

7 We'll turn now to Item 11, Triton Anchor, LLC.

8 MR. DANIELSON: Good afternoon, Chair, Vice
9 Chair, and Commissioners. My name is Mark Danielson. I am
10 a Senior Environmental Scientist with the Energy Research
11 and Development Division. I am presenting a proposed
12 agreement with Triton Anchor, LLC to develop a floating
13 offshore wind turbine anchor system.

14 This is the fourth and final proposed award from
15 our recent solicitation: "Advancing Designs for Floating
16 Offshore Wind Mooring Lines and Anchors." The three other
17 proposed awards were presented and approved at the July
18 Business Meeting. Next slide, please.

19 Deploying floating offshore wind turbines in the
20 current California Wind Energy Areas will require novel
21 engineering to survive the challenging oceanic conditions
22 off California's coast.

23 These structures will need to be able to
24 withstand harsh wave and wind conditions in waters as deep
25 as 1,300 meters, which is far deeper than any existing

1 floating offshore wind farm around the world. Anchors of
2 floating offshore wind turbines will need to be engineered
3 for these extreme depths and strong enough for the
4 platforms to withstand surface conditions, as well as
5 seismic events like undersea earthquakes and landslides.

6 The proposed project from Triton Anchor will
7 improve the feasibility of deploying floating offshore wind
8 in California by focusing on reducing costs of
9 manufacturing anchors and installation, streamlining the
10 installation process with smaller vessels, customizing the
11 anchor specifications for the California environment, and
12 minimizing environmental impacts. Next slide, please.

13 This solicitation was planned to fund projects
14 that advance the design of either mooring lines, anchors,
15 or shared mooring and anchor configurations for floating
16 offshore wind. Specifically, Triton Anchor's proposed
17 project will advance the design of anchor technologies for
18 floating offshore wind in a way that is optimized for the
19 seafloor conditions, and the safety of the infrastructure,
20 and minimizing environmental impacts. There is no fuel
21 testing or planned installation of any equipment. And this
22 is once again, the fourth and final award from this
23 solicitation. Next slide, please.

24 The proposed award with Triton Anchor develops a
25 cost effective, high uplift capacity anchoring system to be

1 used for floating offshore wind turbines in California Wind
2 Energy Area conditions. Triton's anchoring system is based
3 on readily available helical piles that are grouped
4 together with an exterior skirt to provide more efficient
5 geotechnical holding capacity.

6 The installation method of this system would be
7 simultaneously screwing each helical pile into the seabed,
8 and then using a group of embedded piles to pull the skirt
9 into the seabed. Their installation tool is unique,
10 because it operates quietly and does not require hammering
11 or vibration to install, unlike driven piles.

12 Additionally, Triton plans on conducting an
13 infield geotechnical survey for an accurate assessment of
14 soil characteristics found in the seabed of California Wind
15 Energy Areas. This study will be used to adapt the system
16 to California's specific soil characteristics and customize
17 it to withstand seismic impacts and potential loss of soil
18 integrity throughout the lifetime of the floating offshore
19 wind farm.

20 Lastly, a third party will be comparing this
21 anchor solution to other anchor technologies on the market
22 to assess the strengths and opportunities of their
23 technology. Next slide, please.

24 Staff recommends the Commission adopt staff's
25 determination that action is exempt from CEQA and approve

1 the proposed award EPC-23-007 with Triton Anchor. That
2 concludes my presentation, and I would be happy to answer
3 any questions that I can.

4 CHAIR HOCHSCHILD: Great. Let's go to public
5 comment on Item 11.

6 MS. BADIE: Thank you. This Mona Badie, the
7 Public Advisor. If you'd like to comment on Item 11 and
8 you're in the room, please use our QR codes. And if you're
9 online, please use the raise hand feature. If you're
10 joining us by phone, press *9.

11 We do not have anyone in the room. And on Zoom,
12 we have Zachary Miller. Zachary, I'm going to open your
13 line. Please spell your name for the record, state any
14 affiliation. We are asking comments to be two minutes or
15 less. Please unmute on your end, Zachary, and begin.

16 MR. MILLER: My name is Zach Miller, Z-A-C-H M-I-
17 L-L-E-R. I am the Chief Technology Officer for Triton
18 Anchor. We are excited to be conditionally selected for
19 this Epic R&D funding to support the development of new
20 technologies for a lower cost of energy for floating
21 offshore wind.

22 Given the unique conditions off the coast of
23 California, we believe our product will allow the
24 developers of these sites to have a cost effective solution
25 that uses local manufacturing and reduces environmental

1 impact.

2 Through this funding, our technology will be de-
3 risked and provide a California specific solution, and the
4 perfect time for the build out of commercial offshore wind
5 farms, which will allow the floating platforms to stay in
6 their intended location safely.

7 I'd like to thank Mark, and the CEC staff that
8 has presented our project today. We look forward to the
9 formal approval of this project. Thank you.

10 MS. BADIE: Thank you.

11 Those are all the raised hands. Back to you,
12 Chair.

13 CHAIR HOCHSCHILD: Great, thank you. I have been
14 absolutely thrilled with the R&D we're doing in offshore
15 wind. I want to thank you and the whole team who have been
16 working on this. Really glad we're doing this now. I
17 think this is actually -- the calendar is such we can see
18 these investments bear a lot of fruit by the time steel
19 actually goes in the water for offshore wind in California.
20 So thank you.

21 I looked at the proposal -- really, really
22 pleased to support it. And no further questions, unless
23 there are others. Okay, with that. Commissioner
24 McAllister, would you be willing to move the --

25 COMMISSIONER MCALLISTER: Move Item 11.

1 CHAIR HOCHSCHILD: Vice Chair or Commissioner
2 Monahan, do you want to second?

3 COMMISSIONER MONAHAN: I second.

4 CHAIR HOCHSCHILD: All in favor say aye.
5 Commissioner McAllister.

6 COMMISSIONER MCALLISTER: Aye.

7 CHAIR HOCHSCHILD: Commissioner Monahan.

8 COMMISSIONER MONAHAN: Aye.

9 CHAIR HOCHSCHILD: Vice Chair Gunda.

10 VICE CHAIR GUNDA: Aye.

11 CHAIR HOCHSCHILD: And I vote aye as well. That
12 item passes 4-0.

13 We'll go to Item 12, Gas Pipeline Safety and
14 Integrity Research.

15 MR. ANAYAH: Good afternoon, Chair, Vice Chair
16 and Commissioners. My name is Shawn Anayah, I'm with the
17 Energy Research and Development Division. Staff is seeking
18 approval for two proposed awards under the Gas Pipeline
19 Safety and Integrity Research to Support Decarbonization
20 Solicitation. Next slide, please.

21 California has an extensive gas system that
22 requires ongoing maintenance, repair, and replacement to
23 ensure safety and reliability. Pipeline failure incidents
24 including those caused by natural forces such as flooding
25 or ground movement, as well as those caused by deficiencies

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1 in plastic pipelines have resulted in costly damages and
2 releases of methane emissions.

3 Current utility practices for addressing these
4 risks rely on frequent system wide inspection, repair, and
5 replacement approaches, which can be time-consuming and
6 costly. Advanced monitoring technologies and data
7 analytics are needed to assess the integrity of the gas
8 system more efficiently.

9 The proposed projects will develop innovative
10 approaches and technologies to first, employ sensors to
11 better predict transmission and distribution pipeline
12 failure due to natural hazards. And second, improve
13 inspection capabilities for plastic pipe and joint
14 deficiencies.

15 These projects will inform more targeted
16 application of critical safety, reliability, and leakage
17 mitigation investments, supporting affordability for
18 ratepayers as needs transition due to California's
19 decarbonization goals. Next slide, please.

20 The first proposed award with the University of
21 California, Los Angeles will develop an integrated platform
22 to monitor the performance of gas pipelines against natural
23 hazards and predict probability of failure in near real
24 time, using a portfolio of remote and embedded sensors.

25 The remote sensors include satellite and light

1 detection and ranging to measure ground movement. These
2 technologies will be demonstrated at a Livermore site
3 subjected to recent landslides. The embedded sensors
4 include low cost accelerometers, strain gauges, and fiber
5 optic sensors that will be installed at PG&E sites to
6 measure ground movement and pipe strain.

7 The embedded sensors will also be tested at UC
8 Irvine's soil test chamber to calibrate and compare
9 different installation techniques. The data collected from
10 these sensors will be integrated to expand an existing
11 fragility model, developed in a previous CEC project and
12 will improve simulation efficiency by a factor of 1,000
13 using machine learning techniques.

14 Finally, the project will develop an improved
15 decision making and risk mitigation software tool to
16 predict the probability of pipeline failure more accurately
17 in at risk areas. Next slide, please.

18 The second proposed award is with GTI Energy. It
19 will develop a decision support framework for plastic
20 pipeline integrity management by characterizing asset risk
21 profiles and identifying recommended mitigation projects.
22 The project will demonstrate and validate a nondestructive
23 evaluation technology called Phased Array Ultrasonic
24 Testing, and an extension of this technology called Total
25 Focusing Method.

1 These technologies will be used to inspect the
2 defects in the plastic pipelines and fusion joints. The
3 inspection technologies are especially useful for fusion
4 joints, because they can direct their focus to measure the
5 size, orientation, and location of defects throughout the
6 body of joints, which can be challenging to inspect due to
7 their location in the pipeline system.

8 GTI will collaborate with SoCalGas to sample
9 plastic pipes for in-field inspection. Defective pipe
10 assemblies will subsequently be sent for testing to verify
11 inspection indications and assess the expected residual
12 asset lifetime. The project will aggregate historic data,
13 inspection data, life expectancy models, and the
14 consequence of loss of containment metrics to develop
15 probabilistic risk assessment models.

16 Finally, the project will utilize the models to
17 inform cost effective mitigation strategies informed by
18 risk spend efficiency metrics and refine pipeline safety
19 and integrity management programs. Next slide, please.

20 Staff recommends adoption of staff's
21 determination that this action is exempt from CEQA, and
22 approval of these grant agreements with UCLA and GTI
23 Energy. That concludes my presentation.

24 I am available for questions. And we also have
25 representatives from UCLA and GTI online as well. Thank

1 you.

2 VICE CHAIR GUNDA: Thank you, Sean. Are the
3 representatives going to make a comment right now?

4 MR. ANAYAH: They are not going to make a
5 comment. They're just here for questions.

6 VICE CHAIR GUNDA: Thank you.

7 Move to public comment. Mona.

8 MS. BADIE: Yes, thank you. This is Mona Badie,
9 the Public Advisor. And if you'd like to make a public
10 comment on Item 12 please let us know by using the QR code
11 if you're in the room and using the raise hand feature if
12 you're online on Zoom, *9 if you are on Zoom by phone. And
13 just give it a moment here. And there are no comments on
14 this item. Back to you, Vice Chair.

15 VICE CHAIR GUNDA: Thank you, Mona.

16 I just have a quick question, Sean. You
17 mentioned that these two projects could help us in the
18 decarbonization of the pipelines, infrastructure. Could
19 you expand on that, what you're thinking along those lines?

20 MR. ANAYAH: Sure. So specifically for the GTI
21 project they're going to be developing this plastic
22 pipeline integrity management decision framework. So it's
23 called ANAGRAM, it's analytical natural gas. It's a tool
24 that will be used by utilities when there needs to be a
25 decision made for either decommissioning, repair or

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1 replacement. So they're going to be using a cost benefit
2 analysis, as well as a risk spend efficiency metrics.

3 For the risk spend efficiency metrics they're
4 going to be using -- excuse me -- multivariate analysis.
5 So they'll be able to put a weighted average on various
6 mitigation measures.

7 And they'll rank them from zero to a hundred,
8 using things like the cost of replacement, the cost of
9 damages, the cost of fatalities, the cost of delays in the
10 use of the pipeline. But they'll also go further to do a
11 cost benefit analysis of comparing the -- doing mitigation
12 measures to doing nothing at all, and putting a cost
13 estimate on it.

14 So there's these two different methodologies that
15 they're using. They'll also be integrating historic data.
16 So they're going to be reviewing plastic pipeline data
17 working closely with SoCal Gas to find out the condition of
18 the pipeline system. And then with the inspection
19 technologies, also using the probability of failure kind of
20 holistically together.

21 VICE CHAIR GUNDA: Thank you, Sean.

22 Chair, we were just making commissioner comments.
23 I just took the first one. I don't know if anybody else
24 has a question.

25 CHAIR HOCHSCHILD: Yeah, Commissioner Monahan.

1 COMMISSIONER MONAHAN: Just another question,
2 Sean. I'm wondering, can you talk about is this purely for
3 methane? Not for any blends or anything more complicated?

4 MR. ANAYAH: This is purely for methane, yeah.

5 COMMISSIONER MONAHAN: The kind of -- more at the
6 home distribution level or is it the entire gas system?

7 MR. ANAYAH: So the first project with UCLA will
8 be on the transmission side. So that's going to be steel
9 pipelines, assessing natural force damages. And there's
10 about 12,000 miles of pipeline in California, steel
11 pipelines for gas transmission and methane.

12 And then on the GTI, so there were two groups in
13 this solicitation, so that was group one. And the second
14 group was focused on plastic pipeline. And there have been
15 issues with we're reaching the end of our useful life of
16 the gas distribution system in California for many
17 installations. They're about 50 years.

18 So there's about 100,000 miles, in California, of
19 distribution plastic pipeline, according to PHMSA. And
20 PG&E is making tracks on that. So they've committed to
21 replacing about 1,200 plastic pipelines. But they're
22 continuing to make progress.

23 They have about, what I saw in the one of the
24 reports, was 6 to 7,000 pipelines composed of this polymer
25 called ADALET, which is at a high risk of decomposition and

1 leakages. And we've seen some instances of kind of
2 catastrophic damages. So this project with GTI is intended
3 to kind of get a holistic picture of where we're at.

4 So we're going to be building off, actually a
5 previous CEC project as well, using some of the data
6 collected there, and then inputting it into the ANAGRAM
7 tool, to kind of get a picture of where we're at with the
8 plastic pipeline system in particular. And then that'll
9 inform if there are segments that can be decommissioned,
10 and then which segments really need to be repaired or
11 replaced.

12 COMMISSIONER MONAHAN: That's great, sounds
13 really valuable. Thank you.

14 CHAIR HOCHSCHILD: Great. Unless there's other
15 discussion, Vice Chair Gunda, would you be willing to move
16 Item 12?

17 VICE CHAIR GUNDA: Move Item 12.

18 CHAIR HOCHSCHILD: Is there a second from
19 Commissioner Monahan?

20 COMMISSIONER MONAHAN: I second.

21 CHAIR HOCHSCHILD: All in favor say aye. Vice
22 Chair Gunda.

23 VICE CHAIR GUNDA: Aye.

24 CHAIR HOCHSCHILD: Commissioner Monahan.

25 COMMISSIONER MONAHAN: Aye.

1 CHAIR HOCHSCHILD: Commissioner McAllister.

2 COMMISSIONER MCALLISTER: Aye.

3 CHAIR HOCHSCHILD: And I vote aye as well. Item
4 12 passes 4 to nothing.

5 MR. ANAYAH: Thank you.

6 CHAIR HOCHSCHILD: Thank you. Let's go to Item
7 13, Light-Duty Vehicle and Multi-Use Hydrogen Refueling
8 Infrastructure.

9 MS. BERNER: Good morning, Commissioners. My
10 name is Jane Berner, from the Fuels and Transportation
11 Division. I will be presenting Agenda Item 13, which is
12 seeking approval of two grant agreements and the associated
13 CEQA findings for the projects that will deliver hydrogen
14 refueling infrastructure resulting from solicitation GFO-
15 22-607. Next slide, please.

16 This solicitation sought projects that would
17 provide new fueling points for fuel cell electric vehicles
18 to further our transportation decarbonization goals.

19 In addition to making progress toward the
20 executive order goal of having 200 hydrogen stations, this
21 solicitation was designed with a few core objectives. One
22 was to broaden the state's hydrogen refueling station
23 network by encouraging siting of stations in areas of the
24 state where there are none today.

25 Another objective was to encourage projects to

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1 dispense renewable hydrogen from direct sources to reduce
2 greenhouse gas emissions and local air pollution from the
3 production of hydrogen fuel.

4 While thus far most CEC investment in hydrogen
5 refueling infrastructure has been for light-duty passenger
6 vehicles, there is growing momentum for using fuel cells in
7 heavy-duty applications like commercial trucking. And
8 therefore, this solicitation specifically sought projects
9 for not only light-duty stations but also what we termed
10 multi-use stations, which would have one fueling area for
11 light-duty passenger vehicles, and then another separate
12 fueling area for heavy-duty trucks or buses on the same
13 site. Next slide, please.

14 The funding available in this solicitation is
15 General Funds from the California Budget Act of 2021/22.
16 There are two projects before you today. They will each
17 build one multi-use station and they have a combined
18 proposed award of nearly \$5.8 million.

19 An additional project to build four light-duty
20 hydrogen stations is proposed for a \$4 million award and is
21 being prepared for consideration at a future business
22 meeting. Next slide, please.

23 The first proposed project is with Air Products
24 and Chemicals Inc., who will build a multi-use hydrogen
25 refueling station with four light-duty fueling positions

1 and at least two heavy-duty fueling positions. It'll build
2 it on what is currently an empty lot adjacent to State
3 Route 99 in Galt, in Southern Sacramento County.

4 Pictured here is an aerial image of the current
5 site with the proposed station layout. And the other image
6 is a rendering of one of the heavy-duty hydrogen refueling
7 dispensers.

8 The overall station capacity will be 6,000
9 kilograms per day, which is much larger than the typical
10 light-duty station. To put the capacity in context, the
11 average passenger vehicle fill is about 3 kilograms. Large
12 big rig trucks have much larger tanks, and also more
13 variety in tank sizes. But if we assume an average tank
14 size of 50 kilograms, Air Products and Chemicals estimates
15 that about 120 large trucks could be served per day.

16 Outside of this agreement, Air Products and
17 Chemicals is building a renewable hydrogen facility, in
18 which electrolyzers powered by zero carbon renewable
19 electricity will be used to make hydrogen in Arizona. This
20 facility is scheduled to be in service next year and will
21 supply the Galt station with hydrogen that will have more
22 than a 60 percent reduction in carbon intensity compared to
23 hydrogen made from natural gas. Next slide, please.

24 The second proposed project is with FirstElement
25 Fuel Inc. and will build a multi-use hydrogen refueling

1 station with four light-duty vehicle fueling positions and
2 two heavy-duty vehicle fueling positions on what is
3 currently a paved commercial lot in Kettleman City, in
4 Kings County. The site is near the junction of Interstate
5 5 and State Route 41. And you might be familiar with
6 Kettleman City as a good place to stop when traveling on I-
7 5 between Northern and Southern California.

8 This slide has a picture of the site as it
9 currently exists and a picture of the type of hydrogen
10 dispensers FirstElement will be installing.

11 The overall station capacity will be up to 18,000
12 kilograms per day. FirstElement estimates the station will
13 be able to serve about 200 trucks a day. And they source
14 their hydrogen from several different production
15 facilities. But one of them is a Linde plant in Ontario,
16 California. And that is proposed for award under a
17 different CEC solicitation for an expansion that will
18 produce renewable hydrogen using electrolysis. Next slide,
19 please.

20 Now I just want to take a quick moment to review
21 the state's progress in developing hydrogen refueling
22 infrastructure. The CEC investment in hydrogen refueling
23 stations to meet the goal of 200 stations, and the needs of
24 the market, totals \$271 million, and that includes the
25 proposed awards from this solicitation. Despite this

1 investment, we have not yet met the executive order goal.

2 At the time of the solicitation's release we
3 counted 176 as funded, both from past CEC solicitations and
4 also some that were slated for private funding. However,
5 in the interim, a grant recipient, Shell doing business as
6 Equilon Enterprises, decided to withdraw its project to
7 build 50 stations. This project was funded under a
8 previous CEC solicitation for nearly \$41 million. So we
9 now have an even larger gap towards reaching the 200
10 station goal.

11 Shell reported several factors in its decision to
12 discontinue its project, including difficulties in
13 permitting and obtaining low carbon hydrogen, and
14 construction cost escalation and global inflation that
15 reduced economic viability. Shell also identified
16 significant risk related to political and economic
17 uncertainty in the initial stages of market deployments.

18 So counting stations proposed for award in this
19 solicitation, California has 130 stations funded. Staff
20 assesses that these stations open today have more than
21 sufficient fueling capacity to serve the light-duty fuel
22 cell electric vehicles on the road today, and that the 130
23 stations once all built, should provide more than adequate
24 fuel for the number of vehicles projected in the coming
25 years.

1 However, this has clearly been a setback and
2 staff is developing options for redirecting funds from the
3 withdrawn stations to invest where it makes the most sense
4 for the market and to meet our state goals. Next slide,
5 please.

6 The staff recommendation on this item is to adopt
7 the staff findings that the projects are categorically
8 exempt from CEQA and approve both agreements. This
9 concludes my presentation. I'm available to answer
10 questions.

11 And we have a representative from FirstElement
12 here, and one I believe from Air Products, on the line to
13 provide comment during public comment. And thank you very
14 much.

15 CHAIR HOCHSCHILD: I have just one quick
16 question. That \$271 million we spent all together. I
17 discussed this with Commissioner Monahan the other day,
18 outside of Japan and Korea, do we know any other countries
19 that have spent as much as the State of California?

20 MS. BERNER: Yeah, that's a good question. I
21 haven't looked at those numbers in a while, but we are
22 certainly among the top. And I know when we break it down
23 by per capita we were ahead. I think it was just -- no,
24 South Korea or Japan had exceeded us for a little while,
25 but we might be ahead again. But we're definitely near the

1 top.

2 CHAIR HOCHSCHILD: Okay. It'd be great to get
3 the data.

4 MS. BERNER: Yes.

5 CHAIR HOCHSCHILD: All right, shall we go to
6 public comment on Item 13?

7 MS. BADIE: Good afternoon. This is Mona Badie,
8 the Public Advisor. If you'd like to make a comment on
9 Item 13 and you're in the room we ask that you use the QR
10 codes. If you're joining us be Zoom, please use the raise
11 hand feature on your screen. And if you're joining us by
12 phone, please press *9.

13 And going to folks in the room, we have Matt
14 Miyasato. If you can please approach the podium, spell
15 your name, and state any affiliation please. Thank you.

16 DR. MIYASATO: Sure, thank you. So Dr. Matt
17 Miyasato, M-A-T-T, last name is Miyasato, M-I-Y-A-S-A-T-O,
18 with FirstElement Fuel.

19 And I just want to express our deep appreciation
20 of the Commission -- it's good to see you again, Chair
21 Hochschild and Commissioners -- for consideration of this
22 item. We are one of the many businesses that are going to
23 benefit from the state's aggressive policies toward climate
24 change. And so thank you for the consideration of our
25 multi-use station.

1 I just want to add a couple of things. One is
2 that all of our heavy-duty stations that we're planning
3 will have a light-duty side. So there'll be four fueling
4 positions, simultaneous fueling positions, as well as two
5 heavy-duty. So that's our plan for all of our heavy-duty
6 stations as we move forward.

7 I do want to address something that staff, that
8 Jane mentioned, that there are companies that are
9 withdrawing from the market. I want to assure the
10 Commission that that is not our intent. Our intent is to
11 expand. And if there's an opportunity for us to fill that
12 void to supply stations for those. The gap that you saw
13 for 50 stations, we're more than happy to have that
14 discussion with the Commission. Especially as you look at
15 backup lists or previous solicitations.

16 As an example, we submitted three locations for
17 this GFO. We're being considered for one, but we're happy
18 to have that discussion to help further GHG reductions in
19 the State of California. I just want to add that, because
20 at First Element we are purpose built. Our only mission is
21 to build hydrogen fueling infrastructure to help the
22 transition to zero emission transportation. So we have no
23 Plan B. So our intent is to help the state get to those
24 aggressive GHG reduction goals.

25 So with that I just want to thank you again. And

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1 we're looking forward to continuing our partnership with
2 the Energy Commission.

3 CHAIR HOCHSCHILD: Great. Thank you.

4 All right, let's go to -- oh, are there
5 additional public comments?

6 Ms. BADIE: There is one comment from Zoom.

7 CHAIR HOCHSCHILD: Oh okay. Sorry.

8 MS. BADIE: Kristin Cleven. I'm going to open
9 your line. If you could spell your name for the record,
10 state any affiliation. Please mute on your end, and you
11 may begin.

12 MS. CLEVEN: Yeah, hi. This is Kristen Cleven,
13 K-R-I-S-T-E-N C-L-E-V-E-N, with Air Products. Air Products
14 thanks the CEC for supporting this project and the
15 development of hydrogen infrastructure, hydrogen refueling
16 infrastructure more broadly.

17 Air Products looks forward to deploying a
18 reliable and resilient hydrogen refueling station at a
19 commercial scale that will provide fuel for heavy-duty
20 trucks and light-duty passenger vehicles 24/7 along a key
21 north to south corridor in the state. The fuel supply to
22 the station, as Jane mentioned, will be sourced with
23 renewable energy.

24 Once again thank you to the CEC for your support
25 and attention on this rapidly developing need for critical

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1 zero emission fueling infrastructure in the state. And to
2 complement Matt's comment Air Product as well is dedicated
3 to hydrogen refueling station development all around
4 California and looks forward to future projects. Thank
5 you.

6 MS. BADIE: Thank you.

7 That concludes public comment. Back to you,
8 Chair.

9 CHAIR HOCHSCHILD: Thank you. Let's go to
10 Commissioner Monahan.

11 COMMISSIONER MONAHAN: Well, first, I want to
12 congratulate the companies that are slated to receive these
13 awards based on our vote today. Both Air Products and
14 First Element had been real leaders in this space. And I
15 think whatever happens with Shell and their business model,
16 I think as Matt said, we're still seeing commitment from
17 other fuel providers to continue to provide hydrogen fuel
18 for both passenger vehicles, and notably, medium- and
19 heavy-duty vehicles.

20 And I think as you saw in the presentation,
21 there's actually been an increase in terms of the amount of
22 hydrogen. That these stations are now delivering a lot
23 more hydrogen and it's because trucks need them. And we
24 need them in order to meet California's increasingly
25 stronger requirements around zero emission transportation.

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1 So just congratulations to both of these companies. And I
2 do believe they are deeply committed to this.

3 And this aligns with what Governor Newsom
4 announced just a few days ago around hydrogen. And in that
5 we want to make sure that we are the center of hydrogen.
6 Hydrogen is an important piece of our clean energy future.
7 We just need to make sure that it's produced sustainably
8 and affordably, and that it's used for end uses that make
9 the most sense.

10 I wanted to just clarify some of the -- I asked
11 Jane to, even though we've had a long day, to provide some
12 data on where we are in terms of our hydrogen station
13 deployment. And I just wondered, Jane, I want to ask you
14 just a few questions to build on that. So can you talk
15 about how many fuel cells our stations today should
16 accommodate when they're operating fully?

17 MS. BERNER: Yes. Yeah, when they are operating
18 fully our open station network consists of 65 stations.
19 And they should be able to support around 50,000 light-duty
20 fuel cell electric vehicles. As you mentioned they are not
21 always all in service. That's the nameplate capacity and
22 so we try to stay ahead of where we need to be, in case
23 there are disruptions at certain stations.

24 The current number of fuel cell electric vehicles
25 that have been sold through June 30th of this year in the

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1 state, are 16,297 per our latest data. And so we do have a
2 fair amount of gap between those number of vehicles and
3 what the network today can support.

4 COMMISSIONER MONAHAN: And I just want to clarify
5 something. We have this gap, but we know the customer
6 experience needs to improve. And I think companies are
7 doing things to address that. And some of our
8 manufacturing grants to make sure that we can manufacture
9 components here in California to ease some of the supply
10 chain constraints, I think are part of that narrative.

11 And then when we get to 130 stations, how many
12 fuel cell vehicles would that be able to support?

13 MS. BERNER: So the capacity of all of the 130
14 stations in sum will support about 190,000 light-duty
15 vehicles. And the latest projection we have as to the
16 number of electric vehicles on the light-duty side that we
17 expect is around 65,000 in about five years' time. So we
18 expect to have sufficient capacity to support that number
19 of vehicles.

20 COMMISSIONER MONAHAN: That's great. On the
21 light-duty side. So we haven't done an analysis for the
22 medium and heavy-duty side. And when should we reach 100
23 stations, do you think?

24 MS. BERNER: Yeah. So 100 stations is another
25 goal we have under Assembly Bill 8. And we do expect

1 currently to reach that goal in 2025.

2 CHAIR HOCHSCHILD: Great.

3 COMMISSIONER MONAHAN: Okay, wait, I've got one
4 last thing. Sorry, I know this has been a long day, but
5 this is an important topic. I'm sorry. Can you talk a
6 little bit about what we're doing to improve station
7 uptime? Just --

8 MS. BERNER: Yeah.

9 COMMISSIONER MONAHAN: -- similar for the EV
10 charging side.

11 MS. BERNER: Exactly. So as you already
12 mentioned some of it. Trying to help with manufacturing
13 and state for parts of equipment that the still has a very
14 limited supply chain. In this particular solicitation, we
15 asked the respondents to talk about their operation and
16 maintenance plan and to tell us how they're going to
17 maximize uptime with a goal of achieving 95 percent uptime.

18 We did things like have them try to plan for
19 coordinating scheduled downtime with nearby stations. And
20 also to have them focus on customer service, including
21 things like communicating with customers about planned and
22 unplanned downtime.

23 And so the projects here in this solicitation
24 were evaluated on the degree to which they offered clear,
25 detailed and convincing strategies for maximizing station

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1 uptime and ensuring customer satisfaction.

2 And my final point is we also allow things like
3 equipment warranties, and servicing by equipment suppliers,
4 to be costs that can be paid for with CEC funds.

5 CHAIR HOCHSCHILD: You finished?

6 COMMISSIONER MONAHAN: I mean, I could go on and
7 on (indiscernible).

8 CHAIR HOCHSCHILD: Okay. Take your time. Do you
9 have anything else?

10 COMMISSIONER MONAHAN: Well, I just want to say
11 one last thing. Because we're talking about Shell pulling
12 out and reliability and all these things. But I'm looking
13 at Matt here, and First Element, and their deep commitment.
14 And I just don't want any of these data points to get in
15 the way of the commitment that I know that companies have
16 to doing, to doing this right, to really improving the
17 customer experience, to the risk that they've taken as
18 early movers in the market.

19 So I just want to congratulate the companies that
20 are really stepping out and working for the State of
21 California, and putting money on the line to do that.

22 CHAIR HOCHSCHILD: Thank you. Vice Chair.

23 VICE CHAIR GUNDA: Thank you, Chair.

24 Jane, thanks for the presentation. Just a couple
25 of questions and a comment. First, thank you for your work

1 on the hydrogen chapter last year in IEPR, super helpful.
2 And your general experience and knowledge on the hydrogen
3 really helps inform the discussion.

4 So a couple of things that we've heard from
5 stakeholders over the last few years is this chicken and
6 egg problem between the locations of the hydrogen stations
7 and the ability to fuel them. So you just talked about the
8 number of vehicles we could fuel, but under locationality,
9 if you could comment on how we are continuing to
10 incorporate with the best (indiscernible) these.

11 And second, I would really appreciate you working
12 with the forecasting team on the assumptions used. One of
13 the things that the currently forecasting team uses on
14 protecting the vehicles is the fueling time, and time to
15 station. And I'm not exactly sure what they use for EV's
16 versus FCV's. So it may be helpful to think through how
17 those projections might change based on that.

18 MS. BERNER: Yes, to address your question about
19 station location. So largely, the CEC has attempted to let
20 station providers and stakeholders like the auto
21 manufacturers have a lot of input into where they say
22 stations should be needed based on where they expect
23 initial sales to be.

24 And so that has ended up being mostly in our
25 major urban markets in the greater LA area, in the San

1 Francisco Bay Area, and Sacramento and San Diego. And
2 we've worked a lot with the California Air Resources Board
3 in this effort to try to identify where stations will be
4 most needed. And we have modeling work done at the Air
5 Resources Board that helps us. We've used that work to
6 guide where we suggest stations be provided in our
7 solicitations. In some cases, we've set boundaries for
8 where stations can be located based on that analysis.

9 And then, like I said in this last solicitation
10 we really tried to exclude some of those urban areas where
11 we have a lot of stations either open or planned already.
12 And bring more stations to places like the Central Valley,
13 where these two stations will be located, and to broaden
14 the market and to allow more people in California to buy
15 fuel cell electric vehicles.

16 And your comments about the working on the future
17 and forecasting of fuel cell vehicles and some of those
18 assumptions, is well taken. And I should have noted the
19 projection that I mentioned about the number of fuel cell
20 vehicles that we expect on the road comes from an automaker
21 survey that's conducted by the Air Resources Board. But of
22 course, we have different ways of looking at it from -- we
23 can estimate the demand side. We can estimate what we can
24 support on the supply side and we can estimate from
25 potential consumers. So we generally try to take as much

1 information as we can, and use it to plan the network.

2 VICE CHAIR GUNDA: Yeah, thank you so much.

3 CHAIR HOCHSCHILD: Commissioner Monahan, unless
4 there's other questions, would you be willing to move Item
5 13.

6 COMMISSIONER MONAHAN: I move Item 13.

7 CHAIR HOCHSCHILD: Vice Chair Gunda, would you be
8 willing to second?

9 VICE CHAIR GUNDA: Second.

10 CHAIR HOCHSCHILD: All in favor say aye.
11 Commissioner Monahan.

12 COMMISSIONER MONAHAN: Aye.

13 CHAIR HOCHSCHILD: Vice Chair Gunda.

14 VICE CHAIR GUNDA: Aye.

15 CHAIR HOCHSCHILD: Commissioner McAllister.

16 COMMISSIONER MCALLISTER: Aye.

17 CHAIR HOCHSCHILD: And I vote aye, as well. Item
18 13 passes 4-0. Thank you, Jane.

19 Item 14, we will take up at a later meeting. And
20 out of a great sense of mercy, I was going to propose we
21 postpone our Lead Commissioner Reports until the next
22 meeting.

23 Yes, please.

24 COMMISSIONER MCALLISTER: I really apologize, I
25 know it's been a long day. But I wanted to make sure to

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1 introduce my newest Advisor. Kathryn Kynett is her name.
2 And she actually was under the weather today, so is not in
3 the room with us. But I don't know if she could just
4 introduce herself briefly. I think we made her a panelist,
5 Mona.

6 MS. KYNETT: Hi, yeah. I'm here online.

7 COMMISSIONER MCALLISTER: There she is. Hey, all
8 right.

9 MS. KYNETT: Sorry I couldn't be in the building
10 today. Thank you for that introduction. I'm really
11 excited to be coming on board to your team and be working
12 as an Advisor.

13 So my background is in climate science and policy
14 and I've spent a good part of my career working in state
15 government. I'm coming on over from CEC's Fuels and
16 Transportation Division. And before that, I've previously
17 worked at CARB, in the California Climate Investments
18 Program, and before that on hydrofluorocarbon regulations.

19 I studied climate change in grad school. And
20 from that I really was motivated to come on and start
21 working on solutions. So I feel very lucky to be part of
22 the work going on in California and at the CEC. So I just
23 wanted to say that. And I'm also looking forward to the
24 Building Electrification Summit, in particular, coming up
25 in October.

1 So thank you for the welcome. And I know it's
2 been a long day but looking forward to working with
3 everyone in my new role here. So thank you.

4 COMMISSIONER MCALLISTER: Kathryn, we're super
5 excited to have you on board, so thanks for hitting the
6 ground running. This week is her first week.

7 CHAIR HOCHSCHILD: Fantastic. Welcome, Kathryn.
8 Great to have you.

9 Let's see, Item 16, the Executive Director's
10 report.

11 MR. BOAHN: No report. Thank you.

12 CHAIR HOCHSCHILD: Item 17, Public Advisor's
13 Report.

14 MS. BADIE: No report.

15 CHAIR HOCHSCHILD: And Item 18, Chief Counsel's
16 report.

17 MS. BARRERA: Yes, I have a quick report. I know
18 it's a long day. I asked both -- two of my new team
19 members to stay through the whole business meeting, so that
20 they would have an opportunity to meet you. And I want you
21 to put a face to a name.

22 First, I want to introduce Ana Gonzalez. She is
23 a new attorney in the Legal Office. She's in the
24 Regulatory and Advisory Unit. She hails from the rural
25 parts of northern Sacramento. And she graduated from

1 McGeorge School of Law.

2 And second here is Brent Platter. He's the new
3 Assistant Chief Counsel of the Regulatory Advisory Unit.
4 And he is from San Francisco, a graduate of Berkeley School
5 of Law. And he has a very diverse background, very deeply
6 rooted in environmental justice, equity, and
7 sustainability. And I'm sure he'll bring all that passion
8 and experience to our work at the CEC.

9 And I'm happy to report that our management team
10 is complete, which is awesome. We have a lot of work to
11 do, and he's ready to get his hands dirty. And he's super
12 diligent. Thank you so much for joining our team.

13 CHAIR HOCHSCHILD: Well, excellent. And welcome
14 to you both. Great to have you on the team. And
15 congratulations, Linda.

16 MS. BARRERA: Thank you.

17 CHAIR HOCHSCHILD: All right. We're adjourned,
18 thanks everybody.

19 (The Business Meeting adjourned at 4:32 p.m.)

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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

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