

DOCKETED	
Docket Number:	22-BSTD-04
Project Title:	2022 Energy Code Photovoltaic and Battery Storage Cost Effectiveness Determinations
TN #:	254585
Document Title:	Notice of Public Comment Period for Benjamin Apartment Project's PV Determination
Description:	<p>Staff encourages interested parties to participate in the review of the published staff report - Staff Review and Analysis of Benjamin Apartments Project Application for a Solar Photovoltaic Cost-Effectiveness Determination (Staff Report). The document can be accessed at https://efiling.energy.ca.gov/GetDocument.aspx?tn=254575&DocumentContentId=90149.</p> <p>CEC seeks comments on the Staff Report, as well as potential impacts relating to the Staff report recommendations. After the comment period and consideration of any comments received, staff's recommendation will be presented for CEC consideration at a CEC business meeting.</p>
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CALIFORNIA ENERGY COMMISSION

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CEC-057 (Revised 1/21)



Notice of Public Comment Period Docket No. 22-BSTD-04

Staff Report for a Solar Photovoltaic Requirement Determination for the Benjamin Project

C Note Limited Partnership (C Note LP) submitted an application to the CEC on June 7, 2023, for a determination, as specified under section 10-109(k) of the California Energy Code, of whether the solar Photovoltaic (PV) system requirements should apply to the Benjamin Project. The Benjamin Project is a 108-unit low-rise multi-family project in Lodi, California (San Joaquin County). C Note LP is the project developer for the Benjamin Project that is permitted under the 2019 Energy Code. Under section 10-109(k), the CEC may determine that the solar PV system requirements do not apply if the CEC makes certain findings. The CEC must find that "implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, interconnection fees, or other factors, causes the CEC's cost-effectiveness conclusions, made pursuant to Public Resources Code (PRC) section 25402(b)(3), to not hold for particular buildings."

Staff has performed a cost-effectiveness analysis based on 1) the public agency rules adopted by the City of Lodi, and 2) PV system costs estimated in bids from electrical and solar contractors to install the PV system designs that C Note LP developed to comply with City of Lodi PV and electrical system regulations. In the staff report, CEC staff has found several factors that contribute to the lack of cost-effectiveness for the Benjamin Project's chosen PV system design. These include high installation costs due to the inability to use virtual net metering, unique electrical system regulatory requirements in effect in the City of Lodi, lower compensation for generation exports under Lodi Electric Utility's tariffs, and high bids from contractors. These findings would cause the CEC's cost-effectiveness conclusion for solar PV systems under PRC section 25402(b)(3) to not hold for the Benjamin Project.

Staff encourages interested parties to participate in the review of the published staff report - Staff Review and Analysis of Benjamin Apartments Project Application for a Solar Photovoltaic Cost-Effectiveness Determination (Staff Report). The document can be accessed at

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=254575&DocumentContentId=90149>.

CEC seeks comments on the Staff Report, as well as potential impacts relating to the Staff report recommendations. After the comment period and consideration of any comments received, staff's recommendation will be presented for CEC consideration at a CEC business meeting.

Background

On May 9, 2018, the CEC adopted the 2019 Energy Code, which includes solar PV system requirements for newly constructed low-rise residential buildings, including multifamily buildings. These requirements, along with the rest of the 2019 Energy Code, took effect on January 1, 2020.

The regulations establish the opportunity, in Section 10-109(k), to submit an application for the CEC to evaluate certain factors relating to public agency rules that may cause the CEC's cost effectiveness conclusions to not hold for particular buildings. The regulations require that an applicant provide information regarding the differences between the public agency rules and the cost-effectiveness determinations that the CEC made in adopting the PV system requirements, including supplementary information requested by the CEC, to enable a full review of the application.

The [documents related to the C Note LP application and the Staff Report are available](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04) on the CEC's docket web page at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04>.

Public Comments

Written comments should be submitted by **5:00 p.m. on Tuesday, March 5, 2024.**

The CEC encourages the use of its electronic commenting system. Visit the [e-commenting page](https://efiling.energy.ca.gov/ECComment/ECComment.aspx?docketnumber=22-BSTD-04) at:

<https://efiling.energy.ca.gov/ECComment/ECComment.aspx?docketnumber=22-BSTD-04>.

Enter your contact information and a comment title describing the subject of your comment(s). After a challenge-response test used by the system to ensure that responses are generated by a human and not a computer, click "Agree & Submit Your Comment" to submit the comment to the CEC's Docket Unit. Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in compliance with the California Code of Regulations, Title 20, section 1208.1. The maximum file size allowed is 10 MB.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **22-BSTD-04** and indicating "Benjamin Apartments Project Application for a Solar Photovoltaic Cost-Effectiveness Determination" may be sent to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-BSTD-04
715 P Street

Sacramento, CA 95814-5504

Or may be emailed to: docket@energy.ca.gov.

Please note that your e-comments, emails, written letters, any attachments, and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via internet search engines.

Public Participation

The CEC's public advisor provides the public with assistance in participating in CEC proceedings. For information about how to participate or to request interpreting services or other reasonable modifications and accommodations, reach out by phone at (916) 957-7910, or by email at publicadvisor@energy.ca.gov. The CEC will work diligently to meet all requests based on availability.

Please direct all news media inquiries to the Media and Public Communications Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

Please contact Muhammad Saeed by phone at (916) 896-4797 or by email at muhammad.saeed@energy.ca.gov if you have questions on the subject matter of this notice.