

DOCKETED

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Project Title:	2024 Business Meeting Agendas, Transcripts, Minutes, and Public Comments
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Document Title:	Orders & Resolutions of the April 10, 2024 Business Meeting
Description:	N/A
Filer:	Kristine Banaag
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Placer County Water Agency

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

RESOLVED, that the CEC approves agreement 009-23-ECI with Placer County Water Agency for a \$3,000,000 loan at one percent interest. The loan will finance the installation of a 674.1 kW ground and canopy mounted solar PV system in Auburn. The project is estimated to reduce approximately 1,055,496 kWh of electricity consumption in the first year, saving approximately \$268,373 in utility costs per year. The simple payback period is approximately 11.2 years; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: San Francisco Bay Area Rapid Transit District (BART)

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

RESOLVED, that the CEC approves agreement ARV-23-007 with the San Francisco Bay Area Rapid Transit District (BART) for a \$2,280,200 grant to install at least 172 Level 2 electric vehicle charging ports across two BART station parking facilities in Daly City and Colma, and adopting staff's determination that this action is exempt from CEQA. This project will provide highly visible charging to BART riders and the local community, including over 3,000 adjacent multi-family housing units, with the goal of enhancing driver confidence in locating Level 2 chargers; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: International Council on Clean Transportation Inc.

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

RESOLVED, that the CEC approves agreement 600-23-006 with International Council on Clean Transportation Inc. for a \$15,000 one-year membership in the International Zero-Emission Vehicle Alliance (ZEV Alliance). The ZEV Alliance was formed by national and subnational jurisdictions to accelerate adoption of zero-emission vehicles. As a member, the CEC will have the opportunity to participate in ZEV Alliance coordination meetings; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

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

RESOLUTION: FEDERAL AND ADMINISTRATIVE UPDATES RULEMAKING

WHEREAS, on November 20, 2023, the State Energy Resources Conservation and Development Commission (“California Energy Commission” or CEC) mailed and posted on the CEC’s website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC’s intent to adopt proposed regulations for the Federal and Administrative Updates Rulemaking, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the fiscal and economic impact analysis; and

WHEREAS, on November 24, 2023, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC’s Rulemaking and Appliances subscription lists, and to every person who had requested notice of such matters, and was posted to the CEC’s website; and

WHEREAS, on January 8, 2024, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on January 9, 2024, the CEC held a public hearing, as noticed in the updated NOPA, to receive comments on the proposed regulation amendments; and

WHEREAS, on March 8, 2024, the CEC posted the Notice of Availability of proposed amended regulations along with an additional 15-day public comment period; and

WHEREAS, on March 25, 2024, the written comment period established by the Notice of Availability closed.

WHEREAS, the date listed in Table W-2 within section 1605.1(w) of the proposed language erroneously stated June, not January 10, 2022, and that the CEC adopts the March 8, 2024, text as recommended by staff with this correction.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act (CEQA):

- The CEC has considered the application of CEQA to the proposed regulations and concluded that the proposed regulations are exempt from CEQA requirements under the common sense exemption (California Code Regulations (CCR), title 14, section 15061(b)(3)) because it can be seen with certainty that there is no possibility that the proposed amendments will have a significant effect on the environment; and

With regard to the Warren-Alquist Act

- The proposed regulations will, by harmonizing with federal requirements, updating certification, enforcement, and administrative provisions, and making non-substantive clarifying updates, reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy for appliances that require a significant amount of energy or water on a statewide basis (Pub. Res. Code § 25402); and
- The proposed regulations are feasible and attainable (Pub. Res. Code § 25402(c)(1)(A)); and
- The proposed regulations do not result in any added total costs to the consumer over the designed life of the appliances concerned (Pub. Res. Code §§ 25402(c)(1)(A) and (C)); and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulations will impose no direct costs or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and

- The proposed regulations will have no impact on housing costs; and
- The proposed regulations will result in no cost impacts to representative private persons or businesses in reasonable compliance with the regulations; and
- The proposed regulations will not adversely impact the health and welfare of California residents, worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost-effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will not require completion of any new report; and
- None of the comments received during the 15-day comment period or at the public adoption hearing justified any changes to the 15-day Express Terms of the proposed regulations as published on March 8, 2024.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations are exempt from CEQA under the common sense exemption ((CCR, title 14, section 15061(b)(3)) because it can be seen with certainty that there is no possibility that the proposed regulations will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the 15-day Express Terms of the proposed regulations that were published on March 8, 2024, with the correction to Table W-2 noted above.

The CEC takes this action under the authority of sections 25213 and 25218(e) of the Public Resources Code, which authorizes the CEC to adopt rules or regulations, as reasonable and necessary, to implement Public Resources Code sections 25402 and 25402.11; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online at [Docket Number 22-AAER-04](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-AAER-04), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-AAER-04>; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs staff and the Executive Director or their designee to take, on behalf of the CEC, all actions

reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Exemption with the State Clearinghouse.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

***C Note Limited Partnership's June 7,
2023 Request for a Solar Photovoltaic
(PV) Exemption Determination***

Docket No.: 22-BSTD-04

ORDER

I. BACKGROUND

The Energy Code regulations establish the opportunity, in Section 10-109(k), to submit an application for the California Energy Commission (CEC) to determine if public agency rules cause the CEC's cost-effectiveness conclusions for solar photovoltaic (PV) systems to not hold for particular buildings and therefore not apply to those 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 solar PV system requirements, including supplementary information requested by the CEC to enable a full review of the application.

On June 7, 2023, C Note Limited Partnership (C Note LP) submitted an application to the CEC requesting a determination of whether the solar PV system requirements should apply to the Benjamin Project, a 108-unit low-rise multifamily project located within the City of Lodi (San Joaquin County), permitted under the 2019 Energy Code.

Staff has performed a cost-effectiveness analysis based on 1) the public agency rules adopted by the City of Lodi, and 2) solar PV system costs estimated in bids from electrical and solar contractors to install the solar PV system designs that C Note LP developed to comply with the City of Lodi's solar PV and electrical system regulations.

II. EXECUTIVE DIRECTOR RECOMMENDATION

Based on the information reviewed and in accordance with Section 10-109(k) of the 2019 Energy Code, the Executive Director makes the following recommendations:

1. In accordance with Section 10-109(k) of the 2019 Energy Code, the CEC should determine that the Section 150.1(c)14 solar PV requirements of the 2019 Energy Code do not apply to the newly constructed low-rise multifamily buildings of the Benjamin Project within the City of Lodi; and
2. Due to the unusually challenging circumstances facing the Benjamin Project in

cost-effectively meeting the 2019 Energy Code solar PV system requirements, the CEC should find that this project is by no means representative of other multifamily projects in California.

III. CALIFORNIA ENERGY COMMISSION FINDINGS

The CEC makes the following findings:

- 1) C Note LP submitted their application to staff on June 7, 2023, requesting a determination under Section 10-109(k) of the 2019 Energy Code that the solar PV system requirements of Section 150.1(c)14 of the 2019 Energy Code not apply to the newly constructed low-rise multifamily buildings of the Benjamin Project within the City of Lodi.
- 2) Staff evaluated C Note LP's application and accompanying documentation, finding that C Note LP has met the requirements in Section 10-109(k) of the 2019 Energy Code.
- 3) Staff evaluated C Note LP's application and accompanying documentation finding that the cost-effectiveness determinations that the CEC made in adopting the solar PV system requirements in the 2019 Energy Code do not apply to the newly constructed low-rise multifamily buildings of the Benjamin Project within the City of Lodi due to 1) the public agency rules adopted by the City of Lodi, and 2) the solar PV system costs estimated in bids from electrical and solar contractors to install the solar PV system designs that C Note LP developed to comply with the City of Lodi's solar PV and electrical system regulations.
- 4) The Executive Director provided a copy of the staff evaluation to interested persons, provided an opportunity for public comment, and considered all public comments received in developing the Executive Director's recommendation.
- 5) The CEC concurs with the Executive Director's recommendation describing the review and validation of the C Note LP's Section 10-109(k) application by CEC staff and recommending approval of the determination made.

IV. CONCLUSION AND ORDER

The CEC has considered staff analysis, the Executive Director's recommendation, all written comments submitted, oral comments made at today's business meeting, and CEC staff's responses to all comments on this matter.

Therefore, the CEC concludes the following in accordance with Sections 10-109(k) and 10-110 of the 2019 Energy Code:

1. Public agency rules that apply to the Benjamin Project result in the Commission's cost-effectiveness conclusions in the 2019 Energy Code to not hold for Benjamin Project buildings identified in C Note LP's application; and
2. The solar PV requirements of Section 150.1(c)14 of the 2019 Energy Code do

not apply to newly constructed low-rise multifamily buildings of the Benjamin Project within the City of Lodi, California, as identified in C Note LP's application; and

3. Approval of this application is not a project, as defined, subject to the California Environmental Quality Act (CEQA) and, alternatively, if it is a project, it is exempt pursuant to the common sense exemption under section 15061(b)(3) of the CEQA Guidelines; and
4. Due to the unusually challenging circumstances facing the Benjamin Project in cost effectively meeting the 2019 Energy Code solar PV system requirements, this project is not representative of other multifamily projects in California.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Electric Program Investment Charge 2023 Annual Report

RESOLVED, Public Resources Code Section 25711.5(f) requires the Energy Commission to prepare and submit to the Legislature an Electric Program Investment Charge (EPIC) Program Annual Report by April 30th of each year, reporting information on activities and projects funded in the previous calendar year; and

RESOLVED, Section 25711.5(f) requires the EPIC annual reports to provide specific information for each project awarded, concluded, or ongoing during the reporting period, including, but not limited to: award recipients and amounts, project descriptions, how projects will lead to technological advancements or breakthroughs, how awards were made, administrative and overhead costs, and the impact on program administration from the low-income and disadvantaged community allocations; and

RESOLVED, Energy Commission staff have prepared the EPIC 2023 Annual Report in accordance with the requirements of Public Resources Code Section 25711.5(f), and California Public Utilities Commission (CPUC) EPIC decisions including Decisions 12-05-037, 13-11-025, 15-04-020, and 23-04-042; and

RESOLVED, that the CEC approves the EPIC 2023 Annual Report; and directs the Executive Director, or his designee, to take the following action:

- Finalize the EPIC 2023 Annual Report, including but not limited to incorporating any changes presented and adopted today along with any non-substantive changes such as typographical corrections and graphical formatting;
- Forward the final report to the Legislature and to the CPUC;
- Make the final report available to the public on the Energy Commission's website; and

RESOLVED, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the approval of the EPIC 2023 Annual Report, and concluded that the approval of this report is not a "project" under CEQA, but that in the event that adoption were determined to be a project, that it would nonetheless be exempt from CEQA requirements pursuant to the "common sense" exemption (CEQA Guidelines, § 15061, subd. (b)(3)).

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**Rulemaking to Implement Electric
Vehicle Charging Station Operational
Standards**

Docket No.: 24-TRAN-02

**ORDER INSTITUTING RULEMAKING
PROCEEDING**

I. PURPOSE AND SCOPE OF THE PROCEEDING

Pursuant to Public Resources Code sections 25210, 25213, and 25218(e), and Title 20, California Code of Regulations, section 1222(a), the California Energy Commission (CEC) hereby institutes this rulemaking proceeding to consider modifications to regulations related to electric vehicle (EV) charging station operational standards. This proceeding is primarily intended to implement Senate Bill (SB) 123 (Stats. 2023, ch. 52) sections 3 through 5, related to payment methods, interoperability billing standards (network roaming capability), reporting, labeling, and signage. This proceeding may also take other regulatory actions related to EV chargers. These actions are taken under, but are not necessarily limited to, the authority of sections 25210, 25213, 25218(e), 25400, 25401, 25601, 25602, and 25618 of the California Public Resources Code, sections 44268 through 44268.4 of the California Health and Safety Code, and sections 1220 through 1225 of Title 20 of the California Code of Regulations.

On September 28, 2013, SB 454 (Stats. 2013, ch. 418), the "Electric Vehicle Charging Stations Open Access Act," added sections 44268 and 44268.2 to the Health and Safety Code. Section 44268.2 required, among other things, that certain EV charging stations accept payment by credit card or mobile technology and authorized the California Air Resources Board (CARB) to adopt interoperability billing standards. CARB adopted regulations in Title 13 of the California Code of Regulations, sections 2360 through 2360.5.

On July 10, 2023, SB 123 modified Health and Safety Code sections 44268 and 44268.2 and added section 44268.4. SB 123 repeals certain EV charger billing requirements and requires certain chargers to have tap card readers and mobile phone payment options, and requires fast chargers to allow "Plug and Charge." SB 123 also transfers implementation and enforcement over these statutes from CARB to the CEC when the CEC adopts regulations. CEC regulations implementing these sections will supersede CARB regulations. In this proceeding, consistent with CEC authority

mentioned above, including SB 123, and under direction of the lead commissioner, CEC staff may, without limitation:

- implement EV charging station payment methods established by SB 123 and add or subtract from those payment methods, as appropriate in light of changing technologies, effective no earlier than January 1, 2028;
- adopt interoperability billing standards (network roaming capability);
- implement reporting, labeling, and signage regulations related to EV charging stations;
- and to consider any other related modifications that are determined to be necessary.

II. DELEGATION OF AUTHORITY

Commissioner Patricia Monahan is the lead commissioner for this proceeding. The CEC delegates the authority to staff, under the direction of the lead commissioner, to take all actions reasonably necessary to present proposed regulations to the CEC for final adoption, including but not limited to, complying with requirements of the Administrative Procedure Act (Government Code sections 11340 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.). Adoption of any changes to the CEC's regulations pursuant to this Order Instituting Rulemaking will be by vote of the CEC at a noticed business meeting.

III. PUBLIC PARTICIPATION

The CEC encourages full and free public participation in this proceeding. Any person present at any hearing or workshop shall be afforded a reasonable opportunity to make oral comments on the subject matter of the proceeding. Petitions to intervene are not necessary. At present, no workshop or hearing dates have been specifically identified. The executive director, in conjunction with the public advisor, shall ensure that this order and notices of hearings and workshops are distributed to all interested persons and that drafts of the regulations are made available sufficiently in advance of workshops, interim hearings, and final adoption by the CEC to allow timely participation. The CEC will establish a date for the receipt of written comments on draft regulations.

The CEC will set forth a deadline for the receipt of written comments in a Notice of Proposed Action, which will be published later in this proceeding. Anyone who would like to participate in or receive information regarding this proceeding should register with [the rulemaking subscription list](#) at <https://public.govdelivery.com/accounts/CNRA/signup/31898>. All who are registered will receive automated email messages with information regarding hearings, workshops, and documents. Manage existing list subscriptions or sign up for others at [CEC Subscriptions](#), at <https://www.energy.ca.gov/subscriptions>.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page at <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=24-TRAN-02>, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached as a downloadable, searchable document consistent with 20 CCR section 1208.1. The maximum file size allowed is 10 MB.

Written comments may be submitted by email. Include docket number 24-TRAN-02 and “Proposed SB 123 Rulemaking” in the subject line and email to docket@energy.ca.gov. A paper copy may be sent to:

Docket No. 24-TRAN-02
Docket Unit, MS-4
California Energy Commission
715 P Street
Sacramento, California 95814-5512

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

Documents filed related to this rulemaking are available on the [CEC's online docket for this proceeding](#) at [\[https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-TRAN-02\]](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-TRAN-02).

The CEC’s public advisor assists the public with participating in CEC proceedings. Please call (916) 957-7910 or contact publicadvisor@energy.ca.gov for assistance.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: National Technology & Engineering Solutions of Sandia, LLC as
Management and Operating Contractor for the Sandia National Laboratories**

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

RESOLVED, that the CEC approves agreement LDS-23-001 with Sandia National Laboratories for a \$2,000,000 federal cost share grant through a Cooperative Research and Development Agreement to perform critical evaluation of energy storage technologies and technoeconomic analysis to assist the CEC in the implementation of LDES demonstration projects; and

RESOLVED, the Executive Director, or his or her designee, may approve changes to the CRADA and project task statements consistent with Resolution 20-1812-1a that describes the types of changes and criteria for approving changes. This delegation includes approving new project task statements that are consistent with the CRADA Statement of Work but do not involve additional CEC funds.

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: Cohen Ventures, Inc. DBA Energy Solutions

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

RESOLVED, that the CEC conditionally approves agreement 500-23-003 with Cohen Ventures, Inc. DBA Energy Solutions for a \$96,685,000 contract to augment the TECH Clean California program as Phase I of CEC's application to the DOE under the Inflation Reduction Act High Efficiency Electric Home Rebate Act (HEEHRA) program. TECH Clean California is a contractor point-of-sale program through single-family and multifamily dwelling owners offering incentives, technical assistance, and installer training to address barriers associated with building decarbonization market transformation across California. This agreement will complement the TECH Clean California program to provide residential electrification equipment and appliances rebates that meet DOE requirements and are allowable under the HEEHRA grant for income-eligible single-family and multifamily dwellings. This agreement is contingent on receiving a federal award under the HEEHRA program; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

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

RESOLUTION: CALSTART, Inc.

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

RESOLVED, that the CEC approves agreement ZVI-23-015 with CALSTART Inc., for up to \$390,000,000. This agreement is for a block grant to design, implement, and fund, with CEC oversight, zero-emission school bus charging and fueling infrastructure projects for local educational agencies throughout California. This agreement initially provides up to \$5,000,000 for administrative costs for CALSTART to design and implement up to \$125,000,000 currently available for incentive projects. Subject to future appropriations in California State Budget, up to \$10,000,000 for administrative costs and \$250,000,000 in grant incentive funding may be added to this agreement, up to the maximum of \$390,000,000 with approval of the CEC's Executive Director through an amendment; and

RESOLVED, AB 178 (2022) authorized the CEC to administer new funds, which in part make up the funds in this Agreement, in accordance with Health and Safety Code section 44272. Under the authority in Health and Safety Code section 44272 (b), the CEC delegates to the Executive Director or their designee the full authority allowed to approve amendments to this Agreement; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CALSTART, Inc.

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

RESOLVED, that the CEC approves amendment 6 to agreement ARV-20-006 with CALSTART, Inc. to 1) increase the agreement's contingent spending authority by up to \$268,720,000 with approval of CEC's Executive Director through an amendment; 2) modify the terms and conditions; and 3) revise the Scope of Work with new reliability and data requirements. This amendment does not increase the current agreement amount of \$275,983,982. This agreement is for a block grant to design, implement, and fund, with CEC oversight, various medium- and heavy-duty zero-emission vehicle electric charging and hydrogen refueling infrastructure incentive projects throughout California; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: County of Los Angeles

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

RESOLVED, that the CEC approves agreement ARV-23-011 with County of Los Angeles for a \$4,000,000 grant. This project will install at least 320 Level 2 charging ports within a quarter mile of multi-family housing properties throughout the Southern California project area, as defined in the REACH 2.0 solicitation, to increase EV charging access for multi-family housing residents; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Compass Global, Inc.

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

RESOLVED, that the CEC approves agreement ARV-23-008 with Compass Global, Inc. for up to \$7,156,205. This agreement initially provides \$1,570,805 to deploy a hyper-scalable, telematics-based EV managed charging solution to over 20,000 grid-connected EVs primarily for California drivers in disadvantaged communities who are enrolled in a time-varying or dynamic electricity rate program. Additional funding, up to \$7,156,205 total, may, with approval from the CEC's Executive Director through an amendment, be added to increase the program scale to 100,000 telematics-based, grid-connected EV customer deployments; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: Kaluza (US) LLC

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

RESOLVED, that the CEC approves agreement ARV-23-009 with Kaluza (US) LLC for up to \$3,355,659. This agreement initially provides \$1,547,829 to adapt an existing EV managed charging product to be responsive to dynamic signals, such as dynamic electricity rates and emergency demand response signals. The product will be deployed to residential customers – at least 300 unidirectional charging customers and 30 bidirectional charging customers – in Pacific Gas and Electric Company’s territory. In some cases, new EVSE will be deployed with project funds; in others, the software will be connected to existing EVSE. Additional funding, up to \$3,355,659 total, may, with approval from the CEC’s Executive Director through an amendment, be added to expand deployment to an additional 1,000 unidirectional charging customers and 100 bidirectional charging customers. At least 50 percent of deployments will be in disadvantaged or low-income communities; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: dcbel LLC

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

RESOLVED, that the CEC approves agreement ARV-23-010 with dcbel LLC for up to \$52,390,052. This agreement initially provides \$2,466,148 to accelerate the deployment of the Home Energy Station (HES) product, a bidirectional electric vehicle charger, to residential properties and to leverage the product for participation in dynamic electricity rate programs and energy discharging events. Additional funding, up to \$52,390,052 total, may, with approval from the CEC's Executive Director through an amendment, be added to accelerate the market penetration of bidirectional HES chargers to fully support transactive residential energy programs with investor-owned utilities, publicly-owned utilities and community choice aggregators in California; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Prologis Mobility LLC

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

RESOLVED, that the CEC approves agreement ZVI-23-014 with Prologis Mobility LLC for \$2,498,500. This agreement will install 35 multi-port direct current fast chargers utilizing EV fleet charging management software and approximately 12 on-site linear generator units for fleet charging at three charging depots in Los Angeles and San Bernardino County; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ev.energy Corp.

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

RESOLVED, that the CEC approves agreement ZVI-23-016 with ev.energy Corp. for up to \$41,295,244. This agreement initially provides \$1,597,084 to scale the adoption of dynamic tariffs and demand response programs across California through an equipment-agnostic charge management platform to 1,000 deployments. Additional funding, up to \$41,295,244 total, may, with approval of the CEC's Executive Director through an amendment, be added to scale dynamic tariff adoption to 275,000 deployments; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Clean Energy Planning Program
(CCEPP) - GFO-23-702

WHEREAS, Assembly Bill 128, the Budget Act of 2021 (Ting, Chapter 21, Statutes of 2021) directs the California Energy Commission (CEC) to maximize local government and tribal participation in the statewide interagency planning process pursuant to Senate Bill 100 of the 2017–18 Regular Session (Chapter 312 of the Statutes of 2018); and

WHEREAS, CEC staff has drafted grant funding opportunity (GFO), GFO-23-702 titled “California Clean Energy Planning Program” to implement CEC’s directive under Assembly Bill 128; and

WHEREAS, the GFO is a first-come, first-served solicitation that offers grants to California Native American tribes and California Tribal Organizations to better enable them to plan for a clean energy future as well as to better enable their participation in statewide clean energy and energy infrastructure planning activities, and grants to Local Government Entities to develop new or updated land use planning documents that support the development of clean energy in their jurisdictions; and

WHEREAS, CEC staff will be able to process GFO applications on a ministerial basis because the GFO has very simple, few, and purely objective solicitation requirements; and

WHEREAS, the GFO should result in numerous grants to California Native American tribes, California Tribal Organizations, and Local Government Entities that if all were brought to CEC business meetings for approval would unnecessarily take substantial administrative resources and time that could otherwise be used for other CEC programs; and

WHEREAS, this resolution will greatly speed up the award of grants under the GFO and the realization of the grants’ benefits as well as free up CEC staff time to speed up the awards under other programs and the benefits of those programs; and

WHEREAS, the CEC’s legal office has considered the application of the California Environmental Quality Act (CEQA) to GFO-23-702 and the potential grants awarded under the GFO and advised they are exempt from CEQA under California Code of Regulations, title 14, sections 15061(b)(3) and 15306 for the reasons set forth in the

“Proposed California Environmental Quality Act Compliance for California Clean Energy Planning Program, GFO-23-702” Memorandum, a document that is included in the backup materials to this Business Meeting item.

THEREFORE BE IT RESOLVED, the CEC hereby finds the approval of GFO-23-702, the California Clean Energy Planning Program solicitation, and the potential grants awarded under the GFO to be exempt from CEQA under California Code of Regulations, title 14, sections 15061(b)(3) and 15306; and

BE IT FURTHER RESOLVED, the CEC hereby directs CEC staff to issue GFO-23-702, the California Clean Energy Planning Program solicitation; and,

BE IT FURTHER RESOLVED, to the extent funds are available and GFO-23-702 remains open, directs CEC staff to approve all applications that meet all applicable GFO requirements and for the Executive Director, or the Executive Director’s designee, to execute grant agreements with those applicants.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on April 10, 2024.

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

Dated: April 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat