

DOCKETED

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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Department of Transportation

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 to increase the CEC's budget for Interagency Agreement by \$1,000,000 for California's Electric Vehicle Charger Reliability and Accessibility Accelerator (EVC RAA) program. This is for additional funding to cover the costs for EVC RAA projects. The total funding available to CEC for the EVC RAA program will be \$61,418,469; 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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Weave Grid, 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-23-013 with Weave Grid, Inc. for up to \$11,042,735. This agreement initially provides \$1,811,865 to deploy charging management software, utilizing grid signals and dynamic time-varying rates, to 4,000 customers through EV telematics and networked, existing EV charging infrastructure. Additional funding, up to the \$11,042,735 total, may, with approval from CEC's Executive Director through an amendment, be added to expand the software deployment to 25,000 customers; 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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: IoTecha 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 ARV-23-014 with IoTecha Corp. for up to \$27,139,636. This agreement initially provides \$2,286,231 to develop an alternating-current EV charger that allows load flexibility and continuous driver engagement, and to deploy 120 of these chargers at residential sites. Additional funding, up to the \$27,139,636 total, may, with approval from the CEC's Executive Director through an amendment, be added to deploy up to an additional 12,000 chargers to serve residential customers; 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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: GoPowerEV, 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-23-016 with GoPowerEV, Inc. for a \$4,097,701 grant to install at least 1,137 EV charging ports (379 Level 2 and 758 Level 1) across 28 MFH sites located in Southern California 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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: EVIUM CHARGING, 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-23-019 with EVIUM CHARGING, LLC for a \$4,626,847 grant to deploy and collect data on 474 Level 2 EV chargers at 13 sites at MFH throughout Southern 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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Schools Healthy Air, Plumbing, and Efficiency Program

WHEREAS, Assembly Bill 841 (AB 841, Statutes of 2020, Chapter 372), added, among other statutes, Public Utilities Code (PUC) Section 1600 et seq., which directs the State Energy Resources Conservation and Development Commission (CEC) to develop and implement two programs: a program to award grants to local educational agencies to reopen schools with functional ventilation systems that are tested, adjusted and, if necessary or cost effective, repaired, upgraded, or replaced to increase efficiency and performance; and another program to provide grants to state agencies and local educational agencies to replace noncompliant plumbing fixtures and appliances with water-conserving plumbing fixtures and appliances; and

WHEREAS, PUC section 1614 directs the CEC to adopt guidelines to establish the eligibility criteria, reporting requirements, and technical standards for these programs: the California Schools Healthy Air, Plumbing and Efficiency (CalSHAPE) Ventilation and Plumbing Programs; and

WHEREAS, The CEC, at its June 25, 2021, business meeting adopted the CalSHAPE Ventilation Program Guidelines; and

WHEREAS, The CEC, at its August 11, 2021, business meeting adopted revisions to the CalSHAPE Ventilation Program Guidelines to conform with Assembly Bill 137 (AB 137, Statutes of 2021, Chapter 77), which expanded the definition in Public Utilities Code Section 1601 of Local Education Agencies—the eligible entities to receive funding under CalSHAPE—to include Regional Occupational Centers; and

WHEREAS, following a public workshop to solicit feedback on lessons learned during early program implementation the CEC, at its June 8, 2022, business meeting adopted the Second Edition of CalSHAPE Ventilation Program Guidelines, which expanded eligibility, clarified certain acceptable application documents and final invoice requirements, and extended the application correction period time; and

WHEREAS, following public notice of proposed changes in accordance with the requirements of The Guidelines, the CEC at its May 31, 2023, business meeting adopted the Third Edition of the CalSHAPE Ventilation Program Guidelines, which added requirements for the second phase of program awards for the repair, upgrade, or replacement of Heating, Ventilation, and Air Conditioning systems (“Upgrade and Repair grants,” which are in addition to the first phase “Assessment and Maintenance

grants”) and added language on additional funding allocated to the program from the Greenhouse Gas Reduction Fund; and

WHEREAS, following public notice of proposed changes in accordance with the requirements of The Guidelines, the CEC at its October 18, 2023, business meeting adopted the Fourth Edition of the CalSHAPE Ventilation Program Guidelines, which updated the timing of payment for the initial phase of program awards and removed the limit on the number of applications that can be submitted in each funding round for both phases of program awards; and

WHEREAS, CEC staff propose a Fifth Edition of the CalSHAPE Ventilation Program Guidelines to update the carbon dioxide monitor requirements to allow for the installation of wireless monitors, expand time extension requests to Upgrade and Repair Grants, and extend the amount of time provided pursuant to time extension requests; and

WHEREAS, the CEC publicly noticed the proposed Fifth Edition changes to the CalSHAPE Ventilation Program Guidelines at least 15 days before the May 8, 2024, business meeting in accordance with the requirements in The Guidelines; and

WHEREAS, the CEC’s legal office has considered the application of the California Environmental Quality Act (CEQA) to the CEC’s adoption of the proposed Fifth Edition of the CalSHAPE Ventilation Program Guidelines and opined that the CEC’s adoption is exempt from CEQA under Title 14, California Code of Regulations, sections 15301, 15302, and 15303; and

THEREFORE, BE IT RESOLVED, The CEC hereby finds the adoption of the proposed Fifth Edition of the CalSHAPE Ventilation Program Guidelines to be exempt from CEQA under Title 14, California Code of Regulations, sections 15301, 15302, and 15303; adopts the proposed Fifth Edition of the CalSHAPE Ventilation Program Guidelines; and delegates the authority and directs the CEC staff to take, on behalf of the CEC, all actions reasonably necessary to implement the Fifth Edition of CalSHAPE Ventilation Program Guidelines, including, if necessary, making grammatical or other non-substantive, minor changes to the guidelines as needed.

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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES

CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF SANTA CRUZ ORDINANCE NO. 2023-12
SATISFY STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE
SECTION 25402.1(h)(2)**

WHEREAS, The City of Santa Cruz adopted Ordinance No. 2023-12, which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of Santa Cruz submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2023-12 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 2023-12 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, section 10-106, on January 08, 2024; and

WHEREAS, The City of Santa Cruz adopted a determination at a public meeting on November 28, 2023, that the locally adopted energy efficiency standards contained in Ordinance No. 2023-12 are cost effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 2023-12 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

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

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of Santa Cruz satisfies the requirements of Title 24, California Code of Regulations, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of Santa Cruz has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2023-12 are cost-effective, and (2) Ordinance No. 2023-12 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

APPOINTMENT OF DISADVANTAGED COMMUNITIES ADVISORY GROUP MEMBERS

WHEREAS, Senate Bill 350 (De León, Chapter 547, Statutes of 2015) (SB 350), as codified in California Public Utilities Code Section 400(g), requires the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC) to establish a Disadvantaged Communities Advisory Group (DACAG) consisting of representatives from disadvantaged communities; and

WHEREAS, the DACAG reviews and advises CEC and CPUC on how clean energy and pollution reduction programs and policies can benefit and be effective for disadvantaged communities; and

WHEREAS, the Charter of the DACAG allows for members to be appointed by CEC and CPUC for two-year terms, and be reappointed for up to three consecutive terms; and

WHEREAS, two (2) current DACAG members have expiring terms, Fred Beihn and Julia Hatton, and each are eligible and seek to serve an additional two-year term beginning May 2024; and

WHEREAS, three (3) DACAG member terms expired and have served the maximum amount of terms under the DACAG Charter and CEC wishes to fill their vacated seats beginning in May 2024; and

WHEREAS, CEC and CPUC staff solicited applications from candidates interested in being appointed to the DACAG and Abimael Chavez-Hernandez, Chelsea Kirk, and Sarah Sharpe are seeking appointment for two-year terms beginning May 2024; and

WHEREAS, Commissioners Gallardo and Monahan from the CEC, and Commissioners Houck and Douglas from the CPUC jointly nominate to appoint Fred Beihn, Julia Hatton, Abimael Chavez-Hernandez, Chelsea Kirk, and Sarah Sharpe to the DACAG; and

THEREFORE BE IT RESOLVED, that the CEC accepts the Commissioners' joint nomination and approves the appointments of Fred Beihn, Julia Hatton, Abimael Chavez-Hernandez, Chelsea Kirk, and Sarah Sharpe to the DACAG for two-year terms beginning May 2024.

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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**Emergency Rulemaking
Implementing Revised SB X1-2
Gasoline Refining Margin and
Marine Import Reporting
Requirements**

Docket No. 23-OIR-03

**RESOLUTION ADOPTING
EMERGENCY REGULATIONS**

WHEREAS, on March 28, 2023, the Legislature enacted, and the Governor signed Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch.1), which, among other things, added section 25354(j) and amended section 25355 in Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, to improve reporting of data to the CEC about the petroleum market that is essential for the CEC's oversight functions and for the state to develop and administer energy policies in the best interests of the state and public welfare, Public Resources Code section 25367 authorizes the CEC to adopt regulations to implement Chapter 4.5 of Division 15 of the Public Resources Code, including the proposed regulations clarifying and revising reporting requirements related to the gasoline refining margin and marine imports ; and

WHEREAS, Section 25367 states that the adoption of these regulations shall be considered by the Office of Administrative Law (OAL) as an emergency, and necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding any other area of law, the emergency regulations adopted to implement this chapter shall remain in effect for two years; and

WHEREAS, with gasoline prices continuing to spike and affect Californians on a daily basis, it is imperative to quickly adopt these reporting requirements to immediately begin gathering the identified data to provide greater transparency to the petroleum market and provide the information needed to better address and understand the causes of these price spikes and prevent their continued occurrence; and

WHEREAS, on February 29, 2024, the CEC noticed and on March 18, 2024, held a workshop to discuss proposed changes to the regulations; and

WHEREAS, on March 12, 2024, CEC staff published the draft proposed regulation changes; and

WHEREAS, at the March 18, 2024 workshop CEC staff presented an overview of the proposed regulations and established a written comment period up to and including April 1, 2024; and

WHEREAS, the CEC received several comment letters relevant to the proposed regulations during the written comment period; and

WHEREAS, CEC staff engaged with stakeholders throughout this process and modified the proposed regulations based on feedback received; and

WHEREAS, on April 26, 2024, the CEC provided notice to the listserves associated with CEC business meetings and SB X1-2 implementation, and on the business meeting webpage, that it designated May 8, 2024, as the date for the business meeting to consider adoption of the proposed emergency regulations; and

WHEREAS, on April 30, 2024, more than five working days prior to submission of the proposed emergency action to OAL, the CEC provided notice of the proposed action, which included the proposed emergency regulations, to every person who has filed a request for notice of regulatory action with the agency in addition to others who have expressed interest in this topic specifically; and

WHEREAS, on May 8, 2024, the CEC considered the proposed emergency regulations at its business meeting.

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 emergency regulations and concluded that adoption of the proposed emergency regulations is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because the regulations will not result in a physical change to the environment or reasonably foreseeable indirect physical change to the environment. Even if adoption of the proposed emergency regulations were determined to be a project, this action would nonetheless be categorically exempt from CEQA under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, § 15306) and would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

With regard to the Administrative Procedure Act:

- The proposed regulations are deemed an emergency by statute, are supported by an express statement containing specific facts demonstrating the existence of an emergency, and the CEC has express statutory authority to seek approval of these regulations implementing Chapter 4.5 of Division 15 of the Public Resources Code, including the marine import and gasoline refining margin reporting requirements in sections 25354(j) and 25355, respectively, through OAL's emergency rulemaking procedures; and
- The proposed emergency 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; and
- The proposed emergency regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed emergency regulations will result in no nondiscretionary costs or savings to any state agencies, local agencies, or school districts; and

THEREFORE, BE IT RESOLVED that, based on the entire record before it, the CEC finds that adoption of the proposed emergency regulations is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because the regulations will not result in a direct physical change to the environment or reasonably foreseeable indirect physical change to the environment. The adoption of the proposed emergency regulations is also exempt from CEQA as a categorical exemption under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, §15306) and adoption of the regulations would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

FURTHER BE IT RESOLVED that, after considering all comments received and based on the entire record of this proceeding, the CEC hereby adopts the emergency regulations implementing the marine import and gasoline refining margin reporting requirements as published on April 30, 2024 and incorporating any changes presented and adopted today. The CEC takes this action under the authority of sections 25213, 25218(e), 25354, and 25367 of the Public Resources Code, which among other powers conferred authorize the CEC to adopt emergency regulations, as reasonable and necessary, to implement Chapter 4.5 of Division 15 of the Public Resources Code; 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 in Docket Number 23-OIR-03, at

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-oir-03> and posted on the CEC's website; and

FURTHER BE IT RESOLVED that, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed emergency regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and filing a notice of exemption with the Office of Planning and Research.

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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**California Refinery Maintenance
Reporting Guidelines**

Docket No. 23-OIR-03

**RESOLUTION ADOPTING
GUIDELINES**

WHEREAS, on March 28, 2023, the Legislature enacted, and the Governor signed Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch.1), which, among other things, added section 25354(m) to Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, to improve reporting of data to the CEC about the petroleum market that is essential for the CEC's oversight functions and for the state to develop and administer energy policies in the best interests of the state and public welfare, Public Resources Code section 25354, subsection (n), paragraph (2) authorizes the CEC to adopt guidelines prescribing the manner in which the Executive Director shall implement section 25354, subdivision (m) of Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, CEC staff prepared the California Refinery Maintenance Reporting Guidelines (Guidelines) to contain such guidelines, including the rules and procedures that clarify and revise the maintenance reporting requirements and procedures for refineries operating in California; and

WHEREAS, with gasoline prices continuing to spike and affecting Californians on a daily basis, it is imperative to quickly adopt these reporting requirements to immediately begin gathering the identified data to provide greater transparency to the petroleum market and provide the information needed to better address and understand the causes of these price spikes and prevent their continued occurrence;

WHEREAS, Public Resources Code section 25354, subsection (n), paragraph (2) states that the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) does not apply to the adoption of this Guidelines; and

WHEREAS, on February 29, 2024, the CEC noticed and on March 18, 2024, held a workshop to discuss the proposed Guidelines; and

WHEREAS, on March 12, 2024, the CEC published the proposed Guidelines; and

WHEREAS, at the March 18, 2024 workshop the CEC presented an overview of the proposed Guidelines and established a written comment period up to and including April 1, 2024; and

WHEREAS, the CEC received two comment letters relevant to the proposed Guidelines during the written comment period; and

WHEREAS, CEC staff engaged with stakeholders throughout this process and modified the proposed Guidelines based on feedback received; and

WHEREAS, on April 26, 2024, the CEC provided notice to the listserves associated with CEC business meetings and SB X1-2 implementation, and on the business meeting webpage, that it designated May 8, 2024, as the date for the business meeting to consider adoption of the Guidelines; and

WHEREAS, on April 30, 2024, the CEC provided the updated proposed Guidelines for public review; and

WHEREAS, on May 8, 2024, the CEC considered the updated proposed Guidelines at its business meeting.

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 Guidelines and concluded that adoption of the proposed Guidelines is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because adoption of the Guidelines will not result in a physical change to the environment or reasonably foreseeable indirect physical change to the environment. If adoption of the proposed Guidelines were determined to be a project, this action would nonetheless be categorically exempt from CEQA under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, § 15306) and would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

With regard to the Administrative Procedure Act:

- The proposed Guidelines is exempt from the Administrative Procedure Act pursuant to Public Resources Code section 25354, subsection (n), paragraph (2); and

THEREFORE, BE IT RESOLVED that, based on the entire record before it, the CEC finds that adoption of the proposed Guidelines is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because the Guidelines will not result in a direct physical change to the environment or reasonably foreseeable indirect physical change to the environment. The adoption of the proposed Guidelines is also exempt from CEQA as a categorical exemption under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, §15306) and adoption of the Guidelines would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

FURTHER BE IT RESOLVED that, after considering all comments received and based on the entire record of this proceeding, the CEC hereby adopts the Guidelines, effective immediately, implementing the refinery maintenance reporting requirements, as published on April 30, 2024 and incorporating any changes presented and adopted today. The CEC takes this action under the authority of section 25213, 25218(e), and 25354(n)(2) of the Public Resources Code, which among other powers conferred authorize the CEC to adopt guidelines prescribing the manner in which the Executive Director of the CEC shall implement subdivision (m) of section 25354 of the Public Resources Code; 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 in Docket Number 23-OIR-03, at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-oir-03> and posted on the CEC's website; and

FURTHER BE IT RESOLVED that, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to publish the adopted Guidelines, including but not limited to making any changes to the Guidelines adopted today, making appropriate non-substantive changes; preparing all appropriate documents; and filing a notice of exemption with the Office of Planning and Research.

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 May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

*Preparing the final Scoping Order for
the 2024 IEPR Update*

Docket No. 24-IEPR-01

ORDER INSTITUTING
INFORMATIONAL PROCEEDING

I. Introduction

The California Energy Commission (CEC) is required to adopt the Integrated Energy Policy Report (IEPR) every two years and an update on alternate years.¹ The *2023 IEPR* contains an overview of major energy trends and issues facing the state, as well as a number of detailed assessments of energy supply and demand, energy reliability, efficiency, and other energy issues affecting the state’s economy, public health and safety, and environment. The *2024 IEPR Update* will update certain analyses from the *2023 IEPR*, raise energy issues that have emerged since the *2023 IEPR* was adopted, and address certain other statutory requirements. The IEPR update proceeding requires participation from, and coordination with an array of public and private stakeholders, including utilities, public agencies, marketers, producers, generators, importers and exporters, and others, many of whom submit detailed information to support the CEC’s analytical efforts. This IEPR update proceeding will also include consultation and coordination with California Native American tribes under the CEC Tribal Consultation Policy. Numerous workshops and other opportunities for public participation will be provided throughout the year-long proceeding. All public IEPR events are publicly noticed. Written comment and information from stakeholders and transcripts of IEPR events submitted into one of several IEPR dockets maintained for the proceeding, together with tribal consultation and engagement, serve as the basis for the recommendations in the final *2024 IEPR Update*.

II. Assignment of the Committee and Scope

Determining the scope of the *2024 IEPR Update* begins with review of the applicable statutory provisions, found in Public Resources Code sections 25301 et seq, and specific sections of the Public Utilities Code and Health and Safety Code which direct the CEC to periodically report on certain information and assessments in the IEPR. Additionally Public Resources Code section 25996(a) & (b) requires the *2024 IEPR Update* to include an evaluation of wave and tidal

¹ Public Resources Code, sections 25301 & 25302.

energy. Chair David Hochschild is the Lead Commissioner for the *2024 IEPR Update* and Vice Chair Siva Gunda is the Associate Commissioner.

On March 22, 2024, the Lead Commissioner issued a draft scoping order identifying the topics that will be examined in the *2024 IEPR Update*.² Following public comment, the final *Scoping Order for the final 2024 IEPR Update* was issued on April 22, 2024.³ The scope of the report addresses two topics:

- Electricity demand forecast update
- Wave and tidal energy

The *Scoping Order for the 2024 IEPR Update* is available from the program [webpage](https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update) at <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update>. The *2024 IEPR Update* may also address other topics as the Lead Commissioner deems necessary.

III. Hearings and Workshops

The Commissioners responsible for overseeing the *2024 IEPR Update* will issue notices at least ten days in advance of their respective hearings and workshops and will identify at that time when written comments and testimony will be due, as well as the manner of the filing. Any person may make oral comments on the subject of this proceeding at these hearings and workshops. The written public comment periods for this proceeding, and the manner in which they will be required to be filed, will be established by separate notice.

IV. Authority

Pursuant to Public Resources Code section 25210 and California Code of Regulations, Title 20, section 1220(b), informational proceedings allow the CEC to hold hearings and take other actions to gather and assess information needed to assist it in formulating policies. Instituting an informational proceeding with the adoption of this Order ensures that the assigned Commissioners responsible for overseeing the preparation of the *2024 IEPR Update* can collect the information needed to complete the required analyses and assessments.

V. Participation

Those interested in receiving notices of workshops and hearings for the [2024 IEPR Update](https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update) can subscribe at <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update>. (Scroll down the right side of the page to find “subscribe.”). Alternatively, parties may go to [CEC Subscriptions](https://ww2.energy.ca.gov/listservers/index cms.html), <https://ww2.energy.ca.gov/listservers/index cms.html> to sign up for the energypolicy subscription topic. There will be opportunities for providing comments before and during these hearings, the details of which will be specified in the notice issued for each hearing. In general, the following instructions will apply, but may be modified in the hearing notice:

For the 2024 IEPR Update, the CEC is using an electronic commenting system for written comments. Visit the [website](https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update) at <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2024-integrated-energy-policy-report-update>. Please select and expand the appropriate docket (there are four separate dockets for the *2024 IEPR Update* and more may be added as needed) and click on the “**Submit e-Comment**” link. This will take you to the page for adding comments to that docket. Please enter your contact information and comment title. You

² TN 255223.

³ TN 255866.

may include comments in the box titled “Comment Text” or attach a file with your comments. Attached comments must be in a Microsoft® Word (.doc, .docx) or Adobe® Acrobat® (.pdf) formatted file. The CEC encourages use of its electronic commenting system, but written comments may be submitted by emailing them to the Dockets Office, or by U.S. Mail to:

California Energy Commission
Dockets Unit, MS-4
Re: Docket No. 24-IEPR-01
715 P Street
Sacramento, CA 95814

If you choose not to use the electronic filing system, please include the appropriate docket number on any emailed or written comments. Comments may alternatively be emailed to docket@energy.ca.gov, with the appropriate docket number provided in the subject line. Please note that your electronic, emailed, written and oral comments, 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 Google, Yahoo, and other search engines.

Any person may make oral comments on the subject of the proceeding at workshops, hearings, and any other public events or forums for the *2024 IEPR Update*; the notice for each event will identify further details and any limitations surrounding the provision of such comments. California Native American tribes will also be invited to participate in government-to-government discussions to inform the *2024 IEPR Update*. The Lead and Associate Commissioners overseeing the *2024 IEPR Update* may also require the presence and participation of certain persons, consistent with the nature and purpose of the proceeding.

The CEC’s Public Advisor assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, call (916) 957-7910 or email publicadvisor@energy.ca.gov as soon as possible but at least five days in advance. The CEC will work diligently to meet all requests based on availability. If you have questions about the subject matter of this order, please contact Heather Raitt, Director for the Integrated Energy Policy Report, at (916) 628-2355 or by email at Heather.Raitt@energy.ca.gov.

Direct media inquiries to mediaoffice@energy.ca.gov or (916) 654-4989.

VI. Conclusion and Order

The CEC therefore appoints the Lead and Associate Commissioners named above and orders the institution of an informational proceeding for the *2024 IEPR Update*, directing the Executive Director and staff to gather and assess the information needed to prepare the *2024 IEPR Update* consistent with the scope identified in section II above, under guidance of the Lead and Associate Commissioners.

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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION ADOPTING THE 2023
GRADUAL TRANSFORMATION ADDITIONAL ACHIEVABLE FUEL SUBSTITUTION
SCENARIO, 2023-2040

WHEREAS, Public Resources Code section 25301(a) requires the California Energy Commission (CEC) to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices" and to "use these assessments and forecasts to develop and evaluate energy policies and programs that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety"; and

WHEREAS, the Integrated Energy Policy Report contains these assessments and associated policy recommendations and is adopted every two years, with an Integrated Energy Policy Report Update being adopted each interim year; and

WHEREAS, the 2023 Integrated Energy Policy Report stated that the CEC would develop in 2024 an alternative Additional Achievable Fuel Substitution scenario; and

WHEREAS, the CEC consulted with appropriate state and federal agencies in developing the 2023 Gradual Transformation Additional Achievable Fuel Substitution Scenario (2023 GT AAFS Scenario), 2023-2040 including, but not limited to, the California Public Utilities Commission (CPUC), the California State Air Resources Board (CARB), and the California Independent System Operator (CAISO).

WHEREAS, the CEC held public workshops on August 18, 2023, November 15, 2023, and Demand Analysis Working Group Meetings were held on October 26, 2023, and March 20, 2024, to discuss the AAFS Scenarios and alternative scenario characterizations; and

WHEREAS, on April 24, 2024, staff docketed the Notice of Availability for the 2023 GT AAFS Scenario in Docket No. 23-IEPR-03 identifying the documents that make up the Scenario, including forecasts for electricity demand impacts and gas demand impacts for each of the major planning areas and for the state as a whole; and

THEREFORE BE IT RESOLVED, the CEC hereby adopts the 2023 GT AAFS Scenario along with any changes identified at its May 08, 2024 Business Meeting, and directs CEC staff to make the scenario available to the public.

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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the CEC at its July 26, 2023, business meeting adopted the DSGS Program Guidelines, Second Edition, to expand program eligibility consistent with the requirements of AB 209 and address lessons learned from the initial program implementation; and

WHEREAS, CEC staff conducted a public workshop on January 23, 2024, to solicit stakeholder feedback on the implementation of the DSGS Program Guidelines, Second Edition; and

WHEREAS, CEC staff propose a Third Edition of the DSGS Program Guidelines to address lessons learned from the summer 2023 program implementation; and

WHEREAS, the DSGS Program Guidelines, Third Edition, were informed by stakeholder feedback and were published in draft form to the DSGS program docket (22-RENEW-01) and emailed to the email subscription list, Demand Side Grid Support, on March 6, 2024; and

WHEREAS, CEC staff conducted a public workshop on March 12, 2024, to solicit further stakeholder feedback on the DSGS Program Guidelines, Third Edition, and accepted written comments from March 6, 2024, through March 22, 2024; and

WHEREAS, having considered public comments on the draft of the DSGS Program Guidelines, Third Edition, on April 26, 2024, CEC staff published a revised draft of the DSGS Program Guidelines, Third Edition, to the DSGS program docket (21-RENEW-01) and to the email subscription list Demand Side Grid Support; and

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

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

FURTHER BE IT RESOLVED, that, after considering all comments received, and based on the entire record of this proceeding, the CEC hereby adopts the DSGS Program Guidelines, Third Edition, as published on April 26, 2024, and incorporating any changes presented and adopted today along with any non-substantive changes such as correction of typographical errors. We take this action under the authority of sections 25213 and 25218(e) of the Public Resources Code and Section 18 of AB 205; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on May 8, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine
Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Olivine, 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 500-23-004 with Olivine, Inc. for a contract not to exceed \$22,250,000 over a term of four years, with an option to extend for a fifth year, to support the administration of the Demand Side Grid Support (DSGS) Program. The DSGS Program provides incentives to reduce customer net load during extreme events; 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

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

RESOLUTION: Indian Energy LLC

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

RESOLVED, that the CEC approves agreement LDS-23-002 with Indian Energy LLC for a \$4,850,000 grant to fund non-lithium-ion long duration energy storage (LDES) testing at the Rapid Integration and Commercialization Unit using four different LDES technologies at the Marine Corps Air Station Miramar in San Diego; 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Electric Power Research Institute, Inc.

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

RESOLVED, that the CEC approves agreement EPC-23-028 with the Electric Power Research Institute, Inc. for a \$2,000,000 grant to develop and demonstrate an all-electric heat pump and distribution system for heating and cooling in Irwindale, including the use of an ultra-low GWP as a natural refrigerant; 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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Calion Technologies, Inc.

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

RESOLVED, that the CEC approves agreement EPC-23-030 with Calion Technologies, Inc. for a \$1,500,000 grant to develop a non-vapor compression, ionocaloric heat pump as a heating solution for commercial buildings at their Berkeley laboratory; 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Prospect Silicon Valley

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

RESOLVED, that the CEC approves agreement EPC-23-031 with Prospect Silicon Valley for a \$1,998,949 grant to demonstrate an advanced, cost-competitive, high-efficiency large air-source and water-source heat pump using an ultra-low GWP refrigerant in Alameda 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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

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

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

RESOLVED, that the CEC approves agreement EPC-23-032 with The Regents of the University of California, on behalf of the Berkeley Campus, for a \$5,999,540 grant to install and demonstrate a large heat recovery chiller that uses an ultra-low GWP refrigerant at a Kaiser Permanente hospital building located in San Francisco; 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

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

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

RESOLVED, that the CEC approves agreement EPC-23-033 with The Regents of the University of California, on behalf of the Berkeley Campus, for a \$1,999,140 grant to develop and test new personal comfort devices (PCD) and a personal control hub (PC Hub) and network; 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Regents of the University of California as Management and Operating Contractor for the Ernest Orlando Lawrence Berkeley National Laboratory, hereinafter referred to as “Facility Operator,” “Lawrence Berkeley National Laboratory or “LBNL”

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

RESOLVED, that the CEC approves agreement EPC-23-034 with Lawrence Berkeley National Laboratory for a \$5,899,990 grant to develop holistic and scalable solutions for transitioning conventional central plants to heat recovery chiller systems that use low GWP refrigerants; 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 May 8, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Iwatani Corporation of America

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-23-012 with Iwatani Corporation of America for a \$2,449,744 grant to execute multiple operations and maintenance projects across its seven existing hydrogen refueling stations 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 May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: FirstElement Fuel 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-23-015 with FirstElement Fuel Inc., for a \$7,000,000 grant to support operations and maintenance projects to achieve an average 95 percent uptime across its existing network of hydrogen stations; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on May 8, 2024.

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

Dated: May 9, 2024

SIGNED BY:

Kristine Banaag
Secretariat