

DOCKETED

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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**SDG&E's Request for Delay of April
1, 2024, MIDAS Rate Upload Deadline**

Docket No.: 23-LMS-01

STIPULATED ORDER

I. BACKGROUND

On April 28, 2023, San Diego Gas & Electric Company (SDG&E) joined other load-serving entities in requesting an extension of the July 1, 2023, deadline established in the Load Management Standards (LMS) regulations (20 California Code of Regulations "CCR" section 1621, et seq.) to upload existing time-dependent rates to the Energy Commission's ("CEC or "Commission") Market-Informed Demand Automation Server (MIDAS) database.

During that proceeding, on May 26, 2023, SDG&E also requested that it be allowed until April 1, 2024, to upload its Vehicle-Grid Integration Rate (VGI) and Grid Integrated Rate (GIR) when it would have an automated system for the uploads in place. The VGI rate and GIR are dynamic rates for electric vehicles and are based on hourly CAISO pricing.

The Commission granted SDG&E's request in a May 31, 2023, Order, No. 23-0531-10, ("Order"), as follows:

"SDG&E pointed out that a small percentage of its customers have access to hourly dynamic prices through its Vehicle-Grid Integration (VGI) rate and Grid Integrated Rate (GIR), which are based on CAISO hourly price signals for electric vehicles. SDG&E maintains that since these customers have access to hourly price signals, and that manually uploading these rates hourly would place an unwarranted excessive burden on its staff, SDG&E should have an extension to upload these rates (which affect less than 0.01 percent of its customers) until April 1, 2024, when SDG&E will have a system in place to upload all of its rates by automated means. CEC staff concurs with SDG&E's request for the reasons stated." Order, pp. 3-4.

"It is not technologically feasible or cost-effective for SDG&E to upload to MIDAS hourly dynamic prices offered through its Vehicle-Grid Integration (VGI) rate and Grid Integrated Rate (GIR) until it can perform automated rate uploads, which is estimated to be April 1, 2024. These rates are based on CAISO hourly price signals for electric vehicles and represent less than 0.10 percent of SDG&E's customers." Order pp. 4-5.

“SDG&E shall upload hourly dynamic prices offered through its Vehicle-Grid Integration (VGI) rate and Grid Integrated Rate (GIR) by April 1, 2024. SDG&E shall file reports of its progress towards meeting this deadline with CEC staff on July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024.” Order, p. 6.

On March 1, 2024, SDG&E requested additional time to upload its VGI and GIR rates to MIDAS:

“SDG&E believes that timely compliance with the requirement to upload hourly time dependent VGI and GIR rates by April 1, 2024, would not be cost-effective. As such, SDG&E respectfully requests an extension of the deadline to upload VGI and GIR rates until SDG&E uploads its Real-Time Pricing (RTP) import pilot rate, or until 120 days (approximately 4 months) after SDG&E’s RTP import pilot rate has been approved by the California Public Utilities Commission (CPUC), whichever is sooner.” SDG&E’s March 1, 2024, Letter, p. 2.

SDG&E provided this justification:

“Uploading VGI and GIR rates by April 1, 2024, is not cost-effective. As mentioned above, these two rates impact a very small number of SDG&E customers – only 600 meters to be exact. This amounts to 0.045% of SDG&E’s total customer population. And to comply with LMS § 1623(b) for these rates, SDG&E estimates it will cost \$450-675k annually in IT systems to support and maintain these uploads. These costs are required to support the day-ahead and day-of uploads of California Independent System Operator (CAISO) commodity and base rate hourly pricing, as well as uploads of the complex calculations supporting the VGI Distribution Critical Peak Pricing hourly adders and the VGI Commodity Critical Peak Pricing hourly adders. All these prices must be uploaded and verified on a daily basis to ensure accurate pricing. If SDG&E were to upload VGI and GIR prices on April 1, 2024, SDG&E expects it would have to spend at least \$900k of ratepayer funds before it is able to upload prices associated with the RTP pilot rate. This is a significant investment of on-going ratepayer dollars for relatively few benefiting ratepayers. Thus, due to the limited benefit and high cost of implementation, SDG&E believes compliance is not cost-effective and should be delayed until it becomes more cost-effective.” SDG&E’s March 1, 2024, Letter, p. 3.

“Extending the deadline as proposed would align the timing for the upload of VGI and GIR rates into MIDAS with a larger upload grouping of hourly rates, making the needed technological investments more cost-effective. SDG&E expects its proposed RTP pilot rate will make hourly, time-dependent rates available for many more, if not all, SDG&E customer classes, reaching a much more significant portion of SDG&E’s customer base. SDG&E’s March 1, 2024, Letter, p. 3.

“In November of 2023, the CPUC dismissed SDG&E’s December 2021 application for an RTP import pilot rate, without prejudice, and ordered SDG&E to ‘file a new dynamic import rate application within 90 days after the Commission issues a final decision in [Rulemaking] R.22-07-005 that provides guidance for dynamic rate applications.’ The current schedule in R.22-07-005 states that a proposed decision, with the relevant guidance, is expected in March 2024. SDG&E would then file its application for an RTP import pilot rate within 90 days of the final decision in that proceeding. Pursuant to SDG&E’s request for extension

proposed herein, the VGI and GIR hourly dynamic prices would be uploaded after the final decision in SDG&E's RTP import pilot rate application." SDG&E's March 1, 2024, Letter, p. 2.

"SDG&E recognizes that this request for extension seeks a delay of compliance until after forthcoming CPUC decisions are issued, and that the exact amount of time requested is uncertain. However, as detailed below, given the small number of customers impacted and the significant cost of compliance, the cost-benefit ratio for compliance for these rates is very low and will be significantly improved if SDG&E can combine compliance for these rates with compliance for its RTP pilot rate." SDG&E's March 1, 2024, Letter, p. 2.

After SDG&E made its extension request, CEC and SDG&E staff engaged in a dialog to determine whether time and reporting conditions could be placed on an extension of the April 1 upload. CEC staff and SDG&E concur that SDG&E can upload its VGI and GIR hourly dynamic prices by October 31, 2024, in a cost-effective manner which will serve the purposes of the upload requirement, especially given the small number of customers subject to these rates, the fact that these customers currently have access to these hourly dynamic rates and the fact that SDG&E previously uploaded all of its other time-dependent rates to MIDAS in compliance with the Commission's May 31, 2023, Order. CEC staff and SDG&E also concur that SDG&E can upload test VGI and GIR hourly dynamic rates to MIDAS by September 20, 2024, to afford CEC staff and SDG&E the opportunity to verify the success of the uploads sufficiently in advance of the October 31, 2024, deadline affording time to address any issues that might arise.

II. EXECUTIVE DIRECTOR'S INITIAL DETERMINATION AND RECOMMENDATION

20 California Code of Regulations section 1621(e)(2) provides that Large IOU "[a]pplications for exemptions or delays shall set forth the requested time period" and "indicate when the Large IOU reasonably believes the exemption or delay will no longer be needed." This requires a Large IOU to specify a definite time period when it requests a delay. Indefinite requests or requests conditioned on the occurrence of other events frustrate effective evaluation of the requests and do not find support in the language of the regulation.

While SDG&E's original request did not specify a definite time period for the requested delay, the approach developed by CEC staff and SDG&E would correct this by adding a reasonable, specific delay period and effective reporting requirements.

Accordingly, the Executive Officer makes the initial determination that SDG&E can upload its VGI and GIR hourly dynamic prices by October 31, 2024 in a cost-effective manner which will serve the purposes of the upload requirement, especially given the small number of customers subject to these rates, the fact that these customers currently have access to these rates, and the fact that SDG&E previously uploaded its other time-dependent rates to MIDAS in compliance with the Commission's May 31, 2023, Order. The Executive Officer further determines that SDG&E can upload test VGI and GIR hourly dynamic rates to MIDAS by September 20, 2024, to afford CEC staff and SDG&E the opportunity to verify the success of the uploads sufficiently in advance of the October 31 deadline, affording time to address any issues that might arise.

III. ENERGY COMMISSION FINDINGS

The CEC makes the following findings:

- 1) 20 CCR section 1623(b) requires Large IOUs to upload their existing time dependent rates to MIDAS no later than July 1, 2023, which is three months after April 1, 2023, effective date of the LMS regulations.
- 2) 20 CCR section 1621(e) provides a process for Large IOUs to obtain delays and other relief from the MIDAS upload requirement by applying to the CEC Executive Director and the CEC.
- 3) 20 CCR sections 1621(e)(2) and 1621(e)(3) establish the relevant standards for obtaining delays: by showing that despite a party's good faith efforts to comply, complying by the deadline would cause it extreme hardship, result in reduced system reliability or efficiency or is not technologically feasible or cost-effective.
- 4) 20 CCR section 1621(e)(4) establishes the process for CEC to evaluate applications for delays. Under section 1621(e)(4), the Executive Director reviews the applications and makes an initial determination whether an application meets the requirements of either subsection 1621(e)(2) or (3). The Executive Director then submits the application to the CEC with a recommendation whether to approve or reject it based on the initial determination. The CEC approves or denies the application based upon these recommendations.
- 5) In its May 31, 2023 Order Number 23-0531-10, the Commission found that it was not technologically feasible or cost-effective then for SDG&E to upload the hourly dynamic prices offered through its Vehicle-Grid Integration (VGI) rate and Grid Integrated Rate (GIR) to MIDAS until it could perform automated rate uploads, which SDG&E estimated it could accomplish by April 1, 2024.
- 6) The Commission ordered SDG&E to upload hourly dynamic prices offered through its Vehicle-Grid Integration (VGI) rate and Grid Integrated Rate (GIR) by April 1, 2024. SDG&E's March 1, 2024, delay request indicates that SDG&E will not meet this deadline.
- 7) Although SDG&E's March 1, 2024 request did not specify a definite period for the delay it sought, CEC staff and SDG&E determined it will be cost-effective for SDG&E to upload its VGI and GIR hourly dynamic prices by October 31, 2024 and that this will serve the purposes of the upload requirement, especially given the small number of customers subject to these rates, the fact that they have access to the rates, and the fact that SDG&E promptly uploaded other time-dependent rates to MIDAS in compliance with the Commission's May 31, 2023 Order, No. 23-0531-10.
- 8) SDG&E can upload test VGI and GIR hourly dynamic rates to MIDAS by September 20, 2024, to afford CEC staff and SDG&E the opportunity to verify the success of the uploads sufficiently in advance of the October 31 deadline, affording time to address any issues that might arise.

IV. CONCLUSION AND ORDER

The CEC hereby approves an extension of SDG&E's April 1, 2024, deadline to upload its VGI and VIR rates to MIDAS to October 31, 2024, with the following conditions:

- 1) SDG&E shall upload test VGI and GIR hourly dynamic rates to MIDAS by September 20, 2024, to afford CEC staff and SDG&E the opportunity to verify the success of the uploads sufficiently in advance of the October 31 deadline affording time to address any issues that might arise.

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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Aspen Environmental Group

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

RESOLVED, that the CEC approves an amendment to Agreement 300-22-003 with Aspen Environmental Group. This amendment is for: (1) \$2,000,000 budget augmentation, (2) two-year term extension, (3) amending budget reallocation terms and conditions, and (4) increasing labor rate of one subcontractor. This amendment will support the following areas: (1) non-lithium long duration energy storage (NLLDES) grants; (2) U.S. Department of Energy (DOE) applications for NLLDES grants; and (3) other technical support, including CEQA review. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Aspen Environmental Group

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

RESOLVED, that the CEC approves an amendment to Agreement 300-22-004 with Aspen Environmental Group. Aspen provides technical support services across diverse energy research initiatives under CEC's energy research programs and this amendment will add terms and conditions for technical support for the federally funded Community Energy Reliability and Resilience Investment Program, which funds projects across California that increase community energy resilience and reliability, advance state energy and climate goals, improve energy justice and equity, and create jobs; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: Monahan

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Aspen Environmental Group

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

RESOLVED, that the CEC approves agreement 800-23-012 with Aspen Environmental Group for up to \$2,500,000. The agreement will initially be for \$750,000. Additional funding, up to the \$2,500,000 total, will require approval from the CEC's Executive Director through an amendment. Aspen will provide technical assistance to the Energy Assessments Division on a wide variety of analyses including: Electricity System and Infrastructure Analysis, Improve Energy Demand Forecasting Methods and Conduct Other Energy Demand Analyses, Natural Gas Assessments and Forecasting, and Data Management. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 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 amendment 2 to agreement LDS-22-001 with Indian Energy LLC. The amendment will increase the project budget by \$12,000,000 for a total of \$43,259,680 and extend the project term by one year to increase the microgrid capacity by 10 MWh and labor and subcontractor costs for development of a tribal microgrid on Viejas Band of Kumeyaay Indians tribal lands in San Diego County. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: National Community Renaissance

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-23-035 with National Community Renaissance for a \$8,000,000 grant. This project will build a 288-unit all-electric affordable housing mixed-use development with low-carbon technologies and advanced materials in San Diego. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

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

Dated: June 13, 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
Riverside 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 800-23-009 with the Regents of the University of California, on behalf of the Riverside Campus, for up to \$400,000. This project will collect and analyze data to improve the electricity demand forecast methods that CEC staff may consider integrating into resource, transmission, and distribution system planning, and leverages a California Air Resources Board agriculture vehicle inventory survey. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: Monahan

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

Martin Backup Generating Facility

Docket No.: 22-SPPE-03

**ORDER CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT
AND GRANTING THE SMALL POWER
PLANT EXEMPTION**

I. BACKGROUND

Under Public Resources Code section 25500, the California Energy Commission (CEC) has the exclusive jurisdiction to approve or deny applications for the construction and operation of thermal power plants that have the capacity to generate 50 megawatts (MW) or more of electricity. Public Resources Code section 25541 creates an exemption to this exclusive jurisdiction whereby local permitting entities would obtain jurisdiction over the approval of the site and related facility if, among other criteria, the site and related facility would not generate more than 100 MW of electricity. This exemption is referred to as a Small Power Plant Exemption (SPPE).

The CEC may grant an SPPE for a thermal power plant with a generating capacity from 50 MW to 100 MW if the CEC finds that no substantial adverse impact on the environment or energy resources will result from the construction or operation of the proposed facility. Moreover, Public Resources Code section 25519(c) designates the CEC as the “lead agency” under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) for SPPE applications.

Martin Avenue Properties, LLC is seeking an SPPE for the Martin Backup Generating Facility (22-SPPE-03). The facility would be part of the Martin Data Center, which together constitute the “project” under CEQA. The project would be located at 651 Martin Avenue in Santa Clara. The generating facility would provide up to 96 MW of backup emergency generation to the Martin Data Center in the event electricity cannot be supplied from Silicon Valley Power.

II. EXECUTIVE DIRECTOR'S RECOMMENDATION

California Code of Regulations, title 20, section 1942 requires the Executive Director to recommend findings to the CEC on whether the application meets the requirements of Public Resources Code, section 25541. Based on the SPPE application, CEC staff's Final Environmental Impact Report (FEIR) and other information filed in the proceeding, the Executive Director recommends the CEC find that the requirements of Public Resources Code, section 25541 are met, that the FEIR be certified, and that the SPPE application be granted.

III. ENERGY COMMISSION FINDINGS

Based on the exercise of our independent judgment and review, and considering the record as a whole, we hereby adopt the following findings pursuant to Public Resources Code, sections 21000 et seq. and 25541, and applicable implementing regulations:

1. The generating capacity of the project will not exceed 100 megawatts.
2. The construction and operation activities of the project will not create a substantial adverse impact on the environment.
3. The construction and operation activities of the project will not create a substantial adverse impact on energy resources.
4. The FEIR has been prepared in compliance with the CEQA and thoroughly and adequately analyzes potential environmental and energy resources impacts.
5. The imposition and implementation of the mitigation measures will ensure that the project will not have any significant environmental impacts.
6. The Mitigation Monitoring and Reporting Program (MMRP), set forth in Section 7 Mitigation Monitoring and Reporting Program of the FEIR, will ensure that the project complies with all mitigation requirements.

IV. CONCLUSION AND ORDER

Therefore, we order the following:

1. We hereby CERTIFY the Final Environmental Impact Report and that the requirements of California Code of Regulations, title 14, section 15090(a) have been met.
2. We hereby ADOPT, and incorporate by reference, the MMRP for the project that is set forth in Section 7 Mitigation Monitoring and Reporting Program of the FEIR. The SPPE application is GRANTED exempting the Martin Backup Generating Facility from the Application for Certification provisions of the CEC's power plant licensing process. This Order is adopted, issued, effective, and final on June 12, 2024.

3. The CEC staff shall file a Notice of Determination with the State Clearinghouse within five business days of June 12, 2024, subject to Applicant paying all applicable filing fees.

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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Middletown Rancheria of Pomo Indians of California

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 010-23-ECI with Middletown Rancheria of Pomo Indians of California for a \$3,000,000 loan at one percent interest. The loan will finance installation of a 696 kW carport and rooftop mounted solar photovoltaic (PV) system at Middletown Rancheria of Pomo Indians of California's casino, hotel and event center. The project is estimated to reduce approximately 987,382 kWh of electricity consumption in the first year, saving approximately \$212,239 in utility costs per year; 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 June 12, 2024.

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

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

DISADVANTAGED COMMUNITIES ADVISORY GROUP (DACAG) APPOINTMENT

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 that if any member is unable to serve a full two-year term, a replacement will be selected to fill the vacancy and complete the term; and

WHEREAS, DACAG member Sahara Huazano resigned her seat on the DACAG effective May 2024, leaving a vacant seat with a term ending March 31, 2025; and

WHEREAS, CEC and CPUC staff solicited applications from candidates interested in being appointed to the DACAG and Senait Forthal is seeking appointment to the DACAG; and

WHEREAS, Commissioners Gallardo and Monahan from the CEC, and Commissioners Houck and Douglas from the CPUC jointly nominate Senait Forthal to be appointed to the vacant seat on the DACAG; and

THEREFORE BE IT RESOLVED, that the CEC accepts the Commissioners' joint nomination and approves the appointment of Senait Forthal to the DACAG to fill the vacant seat with a term ending on March 31, 2025.

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 June 12, 2024.

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

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING RENEWABLES PORTFOLIO STANDARD 2017-2020
VERIFICATION RESULTS REPORTS FOR 15 LOCAL PUBLICLY OWNED
ELECTRIC UTILITIES FOR COMPLIANCE PERIOD 3

WHEREAS, Public Utilities Code Section 399.25(b) requires the California Energy Commission to design and implement an accounting system to verify compliance with California's Renewables Portfolio Standard (RPS) by retail sellers and local publicly owned electric utilities (POUs), to ensure that electricity generated by an eligible renewable energy resource is counted only once for the purpose of meeting the renewables portfolio standard of this state or any other state, and for verifying retail product claims in this state or any other state; and

WHEREAS, the California Energy Commission, in collaboration with the California Public Utilities Commission, has adopted regulations and guidelines addressing its responsibilities under Public Utilities Code Section 399.25(b) as well as other provisions of the law governing California's RPS, the *Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities* (RPS POU Regulations) and the *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised)* (RPS Eligibility Guidebook), respectively; and

WHEREAS, in furtherance of Public Utilities Code Section 399.25(b) the California Energy Commission prepares Renewables Portfolio Standard Verification Results Reports on its findings on the amount of eligible renewable energy procured each compliance period by POUs subject to California's RPS; and

WHEREAS, the Renewables Portfolio Standard Verification Results Reports apply the statutory requirements as specified in Public Utilities Code Section 399.11, et seq., the RPS POU Regulations, RPS Eligibility Guidebook, and the Energy Commission staff *Renewables Portfolio Standard Verification Methodology Report, Third Edition*, in determining the amount of renewable energy procurement that qualifies toward each POU's California RPS procurement requirements; and

WHEREAS, the California Energy Commission staff have prepared a Compliance Period 3 (2017-2020) verification report for each of the 15 POUs identified in Attachment A hereto, entitled the *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results*; and

WHEREAS, the scope of each of the *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results* includes RPS procurement verification findings for each of the POUs identified in Attachment A hereto; and

WHEREAS, the *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results* for each POU address the following items with respect to each 15 POUs identified in Attachment A hereto:

- The POU's procurement target and portfolio balance requirements and limitations.
- The amount of eligible renewable energy credits retired, and the amount applied to meet the compliance period requirements, both shown by Portfolio Content Category classification and Long-Term Procurement Requirement classification, as applicable.
- Deficits in meeting RPS procurement requirements for the compliance period.
- Optional compliance measures being applied by the POU for the compliance period.
- A calculation of excess procurement accumulated in this compliance period.
- A summary of the POU's excess procurement and historic carryover, if any, including any prior balance, the amount accumulated and used in the current compliance period, and remaining balance.

WHEREAS, the California Energy Commission has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results*, and concluded that the adoption 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)).

THEREFORE, BE IT RESOLVED, that the California Energy Commission hereby adopts the 15 *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results* for the POUs identified in Attachment A hereto and authorizes the Executive Director, or his designee, to finalize the reports as California Energy Commission adopted reports, including making any necessary minor typographical edits, and distribute and post on the California Energy Commission website as necessary.

FURTHER BE IT RESOLVED, that documents and other materials that constitute the proceeding record can be found at the California Energy Commission, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in [Docket](#)

[Number 21-RPS-01,](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01)

[https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01.](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-01)

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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Barona Group of Capitan Grande Band of Mission Indians of the
Barona Reservation**

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 EPC-23-037 with the Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation (Barona Band of Mission Indians Reservation) for a \$9,000,000 grant. The project will install and demonstrate a 1.5 MW / 6.6 MWh zinc bromine flow LDES technology at the Barona Band of Mission Indians Reservation that will have the ability to discharge at least 100 kW for long durations up to 24 hours, and up to 3 MW for short durations. The proposed project will serve loads at a group of six facilities that support multiple functions critical to the health, safety, and welfare of the Barona Band of Mission Indians Reservation. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

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

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Redoxblox, 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-23-027 with RedoxBlox, Inc. for a \$8,936,778 grant. The project will install and demonstrate a 3 MWh thermochemical energy storage system on the University of California at San Diego's medical campus that will provide more than 24 hours of electrical output and emergency support to the hospital and medical campus in loss-of-power events, including delivering high temperatures for industrial customers. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Noon Energy 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-23-036 with Noon Energy Inc. for a \$8,760,557 grant. The project will demonstrate a reversible carbon dioxide to carbon conversion-based storage system to provide 100 kilowatts / 10 megawatt-hours of LDES combined with an existing solar PV field to provide up to 100 hours of capacity for regional disadvantaged and low-income communities, and energy offsets to critical facilities in Yolo County. Staff recommends conditional approval of this item based upon funding availability as of the 2024 Budget Act; 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 June 12, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: June 13, 2024

SIGNED BY:

Kristine Banaag
Secretariat