

DOCKETED

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Proposition 39: California Clean Energy Jobs Act –2016

Summary of Changes to Program Implementation Guidelines

Proposed changes have been made throughout the Proposition 39 Guidelines. The proposed changes include substantive topics such as the SIR, net zero energy, First Preference Power Rates. Other proposed changes have been made to clarify language and to provide updates on processes, allocations and names. Below is a summary of the proposed changes:

Changes proposed June 27, 2016.			
Page #	Topic	Issue	Guideline Revision
25-26	Cost-Effectiveness Determination. Savings-to-Investment Ratio (SIR)	An eligible energy project must achieve a minimum SIR of 1.05 to be approved for a Proposition 39 K-12 Program award.	Reduced the minimum SIR from 1.05 to 1.01. Note – contact the Proposition 39 K-12 Program Hotline toll-free at (855) 380-8722 if you have a question about this proposed revision.
26 and D-4	LEAs with Zero Net Energy schools	Few if any, LEAs are completely zero net energy. Therefore, LEAs did not qualify for the zero net energy option. However, some LEAs may have school sites that are zero net energy.	Changed the definition from LEA to school site. LEAs can now consider submitting an energy expenditure plan using an alternative methodology for determining the energy cost savings when a school site is zero net energy.
D-1and D-2	Cost-Effectiveness Determination. Savings-to-Investment Ratio (SIR)	Net present value of savings. Assumption for maintenance savings.	Changed the maintenance savings assumption for energy efficiency measures. Increased the annual maintenance cost savings from 2 percent to 3 percent of project cost.
D-2	Appendix D: Savings-to-Investment Ratio (SIR) Calculation	The “assumptions” footnote #7 was mistakenly omitted.	The “assumptions” footnote #7 was added back into the Guidelines.
E-3	Appendix E: Effective Useful Life for Energy Measures in Years	Photovoltaic Panel warranty requirement for a 25 year effective useful life (EUL).	Provided clarification to the panel performance warranty requirement for a 25 year EUL. Changed vendor warranty requirement to panel performance warranty requirement.
F-2	Appendix F: Power Purchase Agreement SIR Calculation And Conditions	PPA Terms and Conditions.	Revised Power Purchase Agreement, Terms and Conditions #3 to remove system size limit.

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Changes proposed April 27, 2016.			
Page #	Topic	Issue	Guideline Revision
Various	Minor word changes/edits	Provides clearer understanding or corrects typos	Minor revisions and edits for clarity.
Various and Appendix I	Background and General Information	California Workforce Investment Board (CWIB) was renamed California Workforce Development Board (CWDB)	Changed California Workforce Investment Board (CWIB) to California Workforce Development Board (CWDB)
1	Background and General Information	Current Guidelines show 2014-15 CA Budget appropriation.	Updated funding allocations to eligible entities using the CA Budget Act 2015-2016 appropriation.
10	Schedule	Changed to a more practical January due date.	Changed the date the Commission will report to COB, from January 1 to January 31.
12	Annual Award Calculation	Link to CDE’s website is outdated.	Updated link to CDE’s website
18-19	Step 1: Electric & Gas Usage/Billing Data	Provides clarifying language to CEC forms LEAs must use to authorize release of utility data information, and to identify all electric and natural gas accounts.	Added clarification. Identified the Utility Data Release Authorization Form as (CEC-12), and Facility and Service Account Information Form as (CEC-24).
19-20	Table 3: Utility Billing Data Reporting Schedule	Some utilities are not clear on the reporting requirements.	Added clarification language.

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27	LEAs with “First Preference” Power Rates	LEAs located in three rural counties receive a Federal government First Preference Federal Power rate. The reduced electric rate is compensation for county land being acquired by the Federal government to construct hydroelectric projects. These reduced electric rates are prohibitive to meeting the cost effectiveness criterion of Prop 39.	Added an option for LEAs located in Calaveras, Tuolumne and Trinity counties to use an alternative electric rate to meet the cost effectiveness determination requirement, saving to investment ratio.
27	Submission of Energy Expenditure Plans(s)	LEAs are encouraged to request the total amount of the CDE allocation.	Added a sentence, “LEAs are encouraged to develop energy expenditure plans that account for and request the full Proposition 39 program award allocation.”
33-35	Step 8: Energy Project Tracking and Reporting	Provides clarification on when and how LEAs should report work progress, final project completion, and energy savings after project completion.	Added clarification language and removed information to partner with CWDB to create a reporting mechanism to quantify statute requirement related to total employment quantification.
37	Job Creation Benefits	Statute language pertaining to the job creation benefits was missing. Added the language directly from Public Resource Code Section 26240(e).	Added statute language (in gray box) at the beginning of the Job Creation Benefits section.
39 and F-2	Contracts – Best Value Criteria	Definition of Best Value Criteria (Section 20133 of Chapter 1, Part 3, Division 2 of the Public Contract Code) was repealed.	Added legal reference.
40	Retroactive Funding of Projects	Proposition 39 allows for retroactive funding.	Removed the word “no” in No Retroactive Funding of Projects.
Appendix A-1 to A-3	Appendix A: Funding Allocation	Updated Funding to include fiscal year 2015/16	Updated Funding Allocation to include 2015/16 fiscal year in both the narrative and the tables.

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Appendix E E-1 to E-3	Appendix E: Effective Useful Life for Energy Measures in Years	Add to the list of eligible energy measures in Appendix E to be more specific. These new eligible energy measures will also be included in the on-line eligible energy measure dropdown menu. This provides clarification for both LEAs and Energy Commission staff.	Added energy measures and the associated effective useful life in years to Appendix E.