

<b>DOCKETED</b>	
<b>Docket Number:</b>	18-RPS-01
<b>Project Title:</b>	Complaint Against the Stockton Port District re: RPS Program Compliance
<b>TN #:</b>	226296
<b>Document Title:</b>	Transcript of 01082019 Committee Conference
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<b>Docketed Date:</b>	1/11/2019

CALIFORNIA ENERGY COMMISSION

In the Matter of:

Complaint Against Stockton       )  
Port District for                    )  
Noncompliance with the            )  
Renewables Portfolio Standard )

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PUBLIC HEARING

CALIFORNIA ENERGY COMMISSION

ROSENFELD HEARING ROOM (A)

1516 9TH STREET

SACRAMENTO, CALIFORNIA

TUESDAY, JANUARY 8, 2019

10:00 A.M.

Reported by:

Peter Petty

APPEARANCES

HEARING OFFICER

Jennifer Martin-Gallardo

COMMISSIONER

Karen Douglas, Presiding Member

David Hochschild, Associate Member

STAFF

Courtney Smith, Chief Deputy Director

Mona Badie, Chief Counsel's Office

PETITIONER

Justin Wynne, Braun Blaising Smith Wynne

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P R O C E E D I N G S

10:01 A.M.

SACRMENTO, CALIFORNIA, TUESDAY, JANUARY 8, 2019

HEARING OFFICER MARTIN-GALLARDO:

Jennifer Martin-Gallardo. I'm the Hearing Officer for the proceeding for the complaint against the Stockton Port District for noncompliance with the Renewables Portfolio Standard. I'd like to welcome everyone here this morning.

We have the Committee for this proceeding here. Commissioner Douglas, the Presiding Member, is on my left with her two Advisers, Jennifer Nelson and LeQuyen Nguyen. And to my right is Commissioner Hochschild, the Associate Member.

I'd like to have the parties introduce themselves, beginning with Energy Commission Staff.

MS. SMITH: Courtney Smith, Chief Deputy Director.

MS. BADIE: Mona Badie with the Chief Counsel's Office on behalf of Staff.

HEARING OFFICER MARTIN-GALLARDO: And

1 Stockton?

2 MR. WYNNE: Justin Wynne with Braun  
3 Blaising Smith Wynne, here on behalf of the Port  
4 of Stockton. And I believe we may have someone  
5 on the line.

6 HEARING OFFICER MARTIN-GALLARDO: We  
7 don't have anyone on the line right now.

8 So the primary purpose of today's  
9 Committee conference is for the Committee to  
10 deliberate in closed session. Prior to the  
11 closed session the Committee will take public  
12 comment. After the closed session the Committee  
13 will return to adjourn the meeting.

14 Before we take public comment, I'll give  
15 a very brief procedural history of this matter.

16 The complaint was filed on January 8th,  
17 2018. It was filed with a motion to bifurcate.  
18 A number of filings were made in the ensuing  
19 months regarding a motion to bifurcate and the  
20 question of whether or not there were factual  
21 disputes.

22 At the end of May, the Committee denied  
23 the motion to bifurcate and directed the Port to  
24 provide evidence supporting some of its factual  
25 claims. In July, the parties reached a

1 stipulation as to all of the facts.

2 A hearing was held on September 18th,  
3 2018 to address the legal issues. And the  
4 parties submitted written briefs at the end of  
5 October 2018.

6 Would either of the Commissioners like to  
7 provide remarks? Okay.

8 Now we will take public comment. Is  
9 there anyone in the room who would like to give  
10 public comment? How about anyone on the phone?  
11 All right. It doesn't look like we have any  
12 public comment to take.

13 So the Committee will now adjourn to  
14 closed session to deliberate on the complaint  
15 against Stockton Port District for noncompliance  
16 with the Renewables Portfolio Standard in  
17 accordance with Government Code section  
18 11126(c)(3), which allows a state body, including  
19 a delegated committee, to hold a closed session  
20 to deliberate on a decision to be reached in a  
21 proceeding that the state body was required by  
22 law to conduct.

23 We will adjourn for about an hour-and-a-  
24 half. I don't expect the Committee will have any  
25 additional questions or comments to make at the

1 end of the closed session, although the Committee  
2 will return to this room to formally close the  
3 meeting, so there is no need for the parties to  
4 stay and wait if you don't wish. And I expect  
5 that we could return, probably, I don't know,  
6 11:45.

7 All right. Thank you.

8 (Off the record at 10:05 a.m.)

9 (On the record at 10:49 a.m.)

10 HEARING OFFICER MARTIN-GALLARDO: Back on  
11 the record. The closed session has concluded and  
12 the matter for the Committee remains under  
13 submission. The Committee conference is  
14 adjourned.

15 (The hearing adjourned at 10:49 a.m.)

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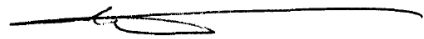
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# REPORTER' S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of January, 2019.

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PETER PETTY  
CER\*\*D-493  
Notary Public



CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



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MARTHA L. NELSON, CERT\*\*367

January 10, 2019