

DOCKETED

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Project Title:	Public Comment on California Energy Commission Business Meetings
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on 04-10-19 Business Meeting

Additional submitted attachment is included below.

Steve Uhler's comments for agenda items at the business meeting of the Energy Commission on April 10, 2019, submitted to the Docket Unit per 20 CCR § 1208 (a) for the record of the proceeding {def 20 CCR § 2552 (b)}, to be accepted by dockets staff.

Each comment for agenda items listed below, when the matter of interest is being considered, is to be neutrally and publicly related by the public adviser, as my points to the commission per 20 CCR § 2556 (j).

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

AGENDA ITEM 21.

Minutes. Possible approval of the March 12, 2019 Business Meeting minutes.

Minutes do not list who commented on agenda items. I commented on items 3, 9, 12 and 13, yet only 13 lists me as commenting. Please see that the minutes show who commented at each agenda item in the minutes.

AGENDA ITEM 22.

Lead Commissioner or Presiding Member Reports.

Please see that the business meeting website clearly explains how to submit written comments for the agenda items for the business meeting. There appears to be no docket to file to the commission's automated electronic filing or commenting system. Submitting comments to Docket Unit per 20 CCR § 1208 (a) for the business meeting to ensure the documents will be deemed part of the proceeding's {def 20 CCR § 2552 (b)} record per 20 CCR § 1208 (a) appears to be unavailable.

Perhaps the commissioners may of overlooked comments in prior proceedings {def 20 CCR § 2552 (b)} that were posted to the docket such as [Renewables Portfolio Standard Compliance Period 2\(2014-2016\) – RPS-18-02](#).

Please correct this oversight. Clearly explain how to submit written comments for the agenda items for the business meeting. If there is some other regulations than 20 CCR § 1208 (a) that cover business meeting submissions, please cite it. If there is no regulation, please see that a regulation is properly adopted. Stop placing instructions not in the regulations on the agenda such as:

“To avoid occasional technical problems with the Commission’s telephone link, the Commission recommends that a written comment also be submitted either by facsimile at (916) 654-4493 or email to publicadviser@energy.ca.gov by 5 p.m., two days before the scheduled business meeting.”

The above instruction is inconsistent with 20 CCR § 1208 (a) and is not found in the commission's regulations. Therefore is not enforceable per GOV § 11340.5 (a).

**AGENDA ITEM 25.
Public Adviser's Report.**

Please see that the public adviser updates her website. The web page found at this Energy Commission link, https://www.energy.ca.gov/public_adviser/rulemaking.html has not been updated since September 2004.

Please see that the public adviser posts to the public advisers website, the rosters she is required to produce per 20 CCR § 2556 (c) to better facilitate 20 CCR § 2556 (h).

**AGENDA ITEM 26.
Public Comment.**

When are residents of Sacramento county going to receive a 2017 power content label?

The Energy Commission's website lists the power content label as (Pending).

See https://www.energy.ca.gov/pcl/labels/2017_index.html

The commission appears to of overlooked adopting implementing regulations for PUC § 399.30 (c)(4). PUC § 399.30 (c)(4) appears to allow the impairing of private contracts. The public should be allowed to participate in rule making for PUC § 399.30 (c)(4).

See [How-2-Participate-102016.pdf](#).

See <https://efiling.energy.ca.gov/GetDocument.aspx?tn=222713> for impairing of private contracts.

“Under a long line of US Supreme Court cases addressing challenges under the Contracts Clause, state policies that impair private contracts are permissible so long as the state identifies a legitimate public purpose and shows that the policy is consistent with a legislative enactment. *See Energy Reserves Group v. Kansas City Power & Light*, 459 US 400 (1983); *Exxon Corp. v. Eagerton*, 462 US 176 (1983); *Midland Realty Co. v. Kansas City Power & Light*, 300 US 109 (1937); *Union Dry Goods v. Georgia Public Service Corp.*, 248”

Please see that staff provide me methods for replication and sample data per 20 CCR § 1553(a) for [Disaggregated Demand Data Cleaning Workshop - 18-MISC-05](#)

Thanks,

Steve Uhler
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