

DOCKETED

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Submitted On: 9/21/2020
Docket Number: 19-BSTD-12*

Comment in Support of CEC Staff's Preliminary Conclusions

Date: September 21, 2020
From: Jan Zabriskie
Email: Jan.Zabriskie@gmail.com
To: California Energy Commission
Comment Title: Comment in Support of Preliminary Conclusions
Docket No. and Title: 19-BSTD-12, Town of Truckee Petition to Solar PV Requirement

[This comment is also attached as a pdf]

The Town of Truckee's February 11, 2020, petition seeks a uniform exemption from the rooftop solar mandate for areas with ground snow loads exceeding 223 lbs/ft². The petition puts the Town's policies and practices for reducing GHG emissions in sharp relief. The CEC staff's August 20, 2020, Preliminary Conclusions contains a solution that conforms to the Town's policies and should be adopted.

On November 28, 2017, Truckee's Town Council unanimously adopted resolution 2017-58, setting goals for the local reduction of GHG emissions. The Town's goals align with our State's goals. On January 24, 2019, the Town Council signaled its continuing support for GHG emission reduction by adopting resolution 2019-58 endorsing the federal Energy Innovation and Carbon Dividend Act. The town rarely takes a position on federal legislation, but the importance of GHG emission reduction caused it to do so in this case. The goals espoused by Town Council for 2019 and 2020 include "achieve[ing] the Town's adopted goals for renewable energy and reduced carbon footprint through the Town's policies, programs and dedicated actions." To that end, the Town is developing its own Climate Action Plan.

In contrast to these goals and policies, the petition by the Town's building department and building working group sought an exemption from a law to reduce GHG emissions without proposing a program to offset the increased emissions that would result from the exemption. Moreover, the petition does not reveal that it was prepared pursuant to any Town order or resolution. The record is silent on these points. This is all to say that the building group's petition, by failing to include a program that would offset the exemption's impact on GHG emissions, conflicts with the town's own goals and policies for reducing these emissions.

The CEC staff's Preliminary Conclusions is more closely aligned with the Truckee's goals and policies. The CEC staff explains how the California Building Code and the California Residential Code already protect new residential construction from the structural damage hypothesized by the petition. That is, the CBC and CRC "prevail as the more restrictive standards." If a building cannot be reasonably

designed for a solar panel to withstand the snowload, the CBC and CRC would preclude installation of the PV panel. In an earlier attempt to garner Town Council support for a broad legislative exemption, the Town Staff failed to inform the Council that the CBC and CRC already provide what is, in effect, a site-specific exemption for high snow loads.

The Town's April 26, 2020, letter acknowledges the existing regulatory framework for exempting PV panels where site-specific conditions make it inappropriate. It appears that the town building and working group now largely concur in the CEC's Preliminary Conclusions, though CEC staff does continue to refer to the Town's petition for a uniform exemption criteria that would rule out solar PV [for entire subdivisions] without requiring a design professional to conduct a project-specific design. Consistent with the more recent concurrence, CEC staff has developed analytic criteria that will guide the Town and builders on whether PV panels are suitable on a house by house basis. The Commission should adopt its staff's Preliminary Conclusions.

There is an important point that deserves consideration in the broader context of the solar mandate as applied to Truckee. About 75% of the electricity portfolio of the Truckee Public Utility District is renewable energy. The renewable portion of electrical energy consumed in the daytime is even higher due to the solar component of our utility's renewable portfolio. This means that the rooftop solar mandate will not contribute much more to the reduction of GHG emissions than would the energy supplied by our utility. Thus, the solar mandate makes new housing less affordable without providing as much benefit in reducing GHG emissions. Greater thought should be given to statutory or regulatory reforms that would result in more cost-effective ways for reducing GHG emissions in communities like Truckee, where electricity is largely supplied by renewables rather than fossil fuels.

Additional submitted attachment is included below.

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