

DOCKETED

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| Docket Number: | 20-RENEW-01 |
| Project Title: | California Schools Healthy Air, Plumbing, and Efficiency |
| TN #: | 247341 |
| Document Title: | Notice of Consideration to Adopt Third Edition Guidelines for the CalSHAPE Plumbing Program |
| Description: | Notice of Consideration to Adopt Third Edition Guidelines for the California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Plumbing Program |
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| Organization: | California Energy Commission |
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CALIFORNIA ENERGY COMMISSION

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CEC-70 (Revised 11/2021)



IN THE MATTER OF:

California Schools Healthy Air, Plumbing, and Efficiency Program

Docket No. 20- RENEW-01

NOTICE TO CONSIDER ADOPTION

RE: California Schools Healthy Air,
Plumbing, and Efficiency Program

Notice of Consideration to Adopt Third Edition Guidelines for California Schools Healthy Air, Plumbing, and Efficiency Plumbing Program

As part of the California Energy Commission's (CEC) December 14, 2022, business meeting, the CEC will consider adoption of the *California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Plumbing Program Draft Commission Guidelines, Third Edition* (Third Edition Draft Guidelines).

For details on how to participate in the business meeting, go to the CEC's business meeting [web page](https://www.energy.ca.gov/proceedings/business-meetings) at <https://www.energy.ca.gov/proceedings/business-meetings>.

Background

Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020) enacted the School Energy Efficiency Stimulus Program, which is referred to as the CalSHAPE Program, and includes two grant programs: the CalSHAPE Ventilation Program and the CalSHAPE Plumbing Program. The CalSHAPE Ventilation Program provides funding to California schools to assess, maintain, and repair ventilation systems. The CalSHAPE Plumbing Program provides funding to California schools and state agencies to replace aging and inefficient plumbing fixtures and appliances with water-conserving plumbing fixtures and appliances. Both CalSHAPE Programs began accepting applications in the fall of 2021. The *CalSHAPE Plumbing Program Commission Guidelines, Second Edition* (Second Edition Guidelines) were approved by the CEC on June 8, 2022.

Third Edition Draft Guidelines

CEC staff has made modifications to the Third Edition Draft Guidelines for the CalSHAPE Plumbing Program. Both a clean and an underline/strikethrough version of the Third Edition Draft Guidelines are available for review and comment on the [CalSHAPE program page](https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program), at <https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program>, or the [20-RENEW-01 docket](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-RENEW-01), at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-RENEW-01>.

The modifications shown in the Third Edition Draft Guidelines were made to expand the eligibility to include state agencies, in accordance with Public Utilities Code Section 1631. The language changes to the Third Edition Draft Guidelines as compared to the Second Edition Guidelines (Adopted June 2022) are summarized below:

Abstract

- Modified language to expand eligibility to state agencies.

Adopted June 2022: The second edition of these guidelines addresses the initial phase of program awards, which is limited to local educational agencies, and incorporates changes to project eligibility.

Draft: The third edition of these guidelines expands the eligibility for program awards to include state agencies.

- Similar changes were made to the following chapters:
 - Chapter 1 – Sections A, B, and D
 - Chapter 2 – Sections A, E, and H
 - Chapter 3 – Section A

Chapter 1, Section A: Introduction

- Added Table 1: CalSHAPE Plumbing Program Guidelines Version History.

Chapter 1, Section B: Keyword and Terms

- Modified language to change “LEA” to “applicants.”

Adopted June 2022: Notice of proposed award – CEC notification to the LEA following approval of a grant application.

Draft: Notice of proposed award – CEC notification to the applicant following approval of a grant application.

- Similar changes were made to the following chapters:
 - Chapter 1 – Section D
 - Chapter 2 – Section H
 - Chapter 3 – Sections A, B, C, and D
 - Appendix A and B

- Removed “School” from “School Plumbing Fixture and Appliance Replacement Grant.”

Adopted June 2022: Site – School where School Plumbing Fixture and Appliance Replacement Grant work will be performed.

Draft: Site – The physical location where Plumbing Fixture and Appliance Replacement Grant work will be performed.

- Similar changes were made to the following chapters:
 - Chapter 1 – Section D
 - Chapter 2 – Sections A, C, E, and I
 - Chapter 3 – Sections B and H
 - Chapter 4 – Section C
 - Appendix A and B

- Added definition of state agency.

Adopted June 2022: (No definition)

Draft: State agency – Any agency, board, bureau, commission, department, office, or other division of the State of California, including the University of California, California State University, and California Community Colleges and the affiliated foundations acting on their behalf.

Chapter 1, Section C: Budget

- Modified language to correct Public Utilities Code (PUC) Section reference.

Adopted June 2022: Following PUC Section 1615(e), the CEC shall return all unused funds to each utility by December 1, 2026.

Draft: Following PUC Section 1615(f), the CEC shall return all unused funds to each utility by December 1, 2026.

Chapter 1, Section D: CalSHAPE Plumbing Eligibility

- Modified language to change “schools” to “sites” or “projects.”

Adopted June 2022: California LEAs may apply for funding to be used for projects at schools that are in the service territory of the utilities as defined herein.

Draft: Applicants may apply for funding to be used for projects at sites that are in the service territory of the utilities as defined herein.

- Similar changes were made to the following chapters:
 - Chapter 1 – Sections B, C, and E

- Chapter 3 – Section B
- Appendix A

Chapter 1, Section E: Schools in Underserved Communities

- Removed language on priority awards.

Adopted June 2022: Beginning with the start of Funding Round Three, the CEC will no longer offer priority awards to schools in underserved communities but reserves the right to limit eligibility to achieve statutory and other goals. The CEC will continue to identify sites that meet the criteria for underserved communities, listed above, for data collection purposes and to verify that statutory requirements are met.

Draft: (Language removed)

Chapter 2, Section I: Project Term

- Modified language to change “LEA” or “applicant” to “grantee.”

Adopted June 2022: For each School Plumbing Fixture and Appliance Replacement Grant project, the LEA will have up to 24 months to complete all work and submit the final documentation described in Chapter 4.

Draft: For each Plumbing Fixture and Appliance Replacement Grant project, the grantee will have up to 24 months to complete all work and submit the final documentation described in Chapter 4.

- Similar changes were made to the following chapters:

- Chapter 1 – Section C
- Chapter 3 – Sections E, F, and G
- Chapter 4 – Sections A, B, and C

Chapter 3: Grant Applications and Awards

- Added language on contents of notice of funding availability.

Adopted June 2022: Dates may be adjusted by the CEC through the issuance of a notice updating information.

Draft: When issuing a notice of funding availability, CEC reserves the right to limit eligibility, or include a priority application period or other funding restrictions, to achieve the program’s statutory or other goals. Dates, eligibility, and other details may be adjusted by the CEC through the issuance of a notice updating information.

Chapter 3, Section B: Application Package

- Modified language to generalized description of plan review, approval and permitting requirements.

Adopted June 2022: It will obtain Division of the State Architect (DSA) project approval as applicable under California Code Regulations, Title 24.

Draft: It will comply with applicable standards and requirements and obtain any required project plan review, approval, or building permits.

- Similar changes were made to the following chapters:
 - Chapter 3 – Section I
 - Chapter 4 – Section C
 - Chapter 5 – Section D

Written Comments

The public and stakeholders are encouraged to review and comment on the Third Edition Draft Guidelines. **Written comments must be submitted to the Docket Unit no later than 5:00 p.m. on December 2, 2022.** Written comments, attachments, and associated contact information, such as address, phone number and email address, become part of the viewable public record. This information may also become available via any Internet search engine.

The CEC encourages use of its electronic commenting system. Visit the [e-commenting page](https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=20-RENEW-01) at <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=20-RENEW-01>, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached as a downloadable, searchable document in Microsoft® Word or Adobe® Acrobat®. The maximum file size allowed is 10 MB.

Written comments may be submitted by email. Include docket number 20-RENEW-01 and “CalSHAPE Program” in the subject line and send to docket@energy.ca.gov.

Public Advisor and Other CEC Contacts

The CEC’s Public Advisor assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, call (916) 957-7910 or email publicadvisor@energy.ca.gov as soon as possible but at least five days in advance of the workshop. The CEC will work diligently to meet all requests based on availability.

Direct media inquiries to mediaoffice@energy.ca.gov or (916) 654-4989.

Direct general inquiries regarding the CalSHAPE Program to CalSHAPE@energy.ca.gov.

Availability of Documents

Documents and public comments submitted for the CalSHAPE Programs are available on the [CalSHAPE Program page](https://www.energy.ca.gov/programs-and-topics/programs/california-), at <https://www.energy.ca.gov/programs-and-topics/programs/california->

schools-healthy-air-plumbing-and-efficiency-program, or at [20-RENEW-01 docket](#), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-RENEW-01>.

When new information is posted, an email will be sent to those subscribed to the CalSHAPE subscription topic. To receive these notices, or sign up for other email subscription topics, visit [Subscriptions](#), at <https://www.energy.ca.gov/subscriptions>.

Dated: October 28, 2022, at Sacramento, California

Armand C. Angulo

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Deputy Director

List Subscription: CalSHAPE