

DOCKETED

Docket Number:	01-AFC-07C
Project Title:	01-AFC-7C Russell City Energy Company
TN #:	250266
Document Title:	Agenda of the May 31, 2023 Business Meeting
Description:	N/A
Filer:	Ngoc Tran
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	5/23/2023 10:42:01 AM
Docketed Date:	5/23/2023



California Energy Commission

Business Meeting Agenda

May 31, 2023
9:00 a.m. – 3:30 p.m.

Remote Access Only via Zoom™

<https://zoom.us/> Meeting ID: 938 6923 0237 Passcode: mtg@10am

Public attendance and participation access through Zoom™ only

Remote participation instructions are below, after line items.

Please note that the California Energy Commission (CEC) aims to begin the business meeting promptly at the start time and the end time is an estimate based on the agenda. The meeting may end sooner or later than the time indicated depending on various factors.

Pursuant to the California Code of Regulations (CCR), title 20, section 1104(e), any person may make an oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to two minutes or less per person.

THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:

1. Public Comment.

Any person wishing to comment on information items (non-voting items) shall provide comments during this period.

2. Agency Announcements.

The Chair may announce relevant matters to the public and the CEC, including agency updates, events, and other opportunities. Discussion may follow.

3. Consent Calendar.

Items will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.

- a. SG H2 Lancaster Project Company, LLC. Proposed resolution adopting California Environmental Quality Act (CEQA) findings for SG H2 Lancaster Project Company, LLC's Lancaster Waste to Renewable Hydrogen Project and approving grant agreement ARV-22-011 with Lancaster Project Company. (Clean Transportation Program (CTP) Funding Contact: Sebastian Serrato

- i. CEQA. Findings that, based on the lead agency City of Lancaster's Initial Study (IS) and Mitigated Negative Declaration (MND), and Conditional Use Permit (CUP) No. 21-06, which was approved by the City on December 12, 2022, work under the proposed project presents no new significant or substantially more severe environmental impacts beyond those already considered and mitigated; and that following the City's adoption of the MND and CUP, none of the circumstances within CEQA section 15162 are present.
 - ii. Lancaster Waste to Renewable Hydrogen Project. Proposed resolution approving agreement ARV-22-011 with Lancaster Project Company for a \$3,000,000 grant to develop, construct, and operate a 100 percent renewable hydrogen production facility in Lancaster. The facility will convert 42,000 tons of waste per year to produce roughly 3.8 million kilograms of renewable hydrogen per year to supply California's operational hydrogen refueling stations and support the zero-emission fuel cell electric vehicle rollout.
- b. Electric Power Research Institute, Inc. (EPRI). Proposed resolution approving agreement 800-22-008 with EPRI for up to \$1,500,000, with \$500,000 currently available, and adopting staff's determination that this action is exempt from CEQA. EPRI will support CEC's evaluation of different pathways for achieving California's clean energy goals as established in Senate Bill (SB) 100 to improve and expand analyses to study the reliability of different future energy scenarios. (ERPA Funding) Contact: Hannah Craig
 - c. CivicWell. Proposed resolution approving co-sponsorship agreement 500-22-004 with CivicWell for \$15,000 to participate in and support the June 13-14, 2023, California Climate & Energy Forum held in Santa Rosa, and adopting staff's determination this action is not a project under CEQA. (ERPA Funding) Contact: Armand Angulo
 - d. Charge Bliss, Inc. Proposed resolution approving agreement LDS-22-003 with Charge Bliss, Inc. for a \$32,750,000 grant to fund the deployment of a 5 MW solar generation and 20 MWh non-lithium-ion Long Duration Energy Storage (LDES) system, and adopting staff's determination that this action is exempt from CEQA. The LDES system will operate as part of a microgrid using solar generation and energy storage to improve the Paskenta Band of Nomlaki Indians' site resiliency. The project will demonstrate the microgrid's ability to power critical operations during grid outages, such as Public Safety Power Shutoff events, and peak grid demand. (LDES Funding) Contact: Mike Gravely
 - e. Aspen Environmental Group. Proposed resolution approving agreement 300-22-004 with Aspen Environmental Group, for up to \$6,000,000, and adopting staff's determination that this action is exempt from CEQA. Aspen will provide technical support services across diverse energy research initiatives under CEC energy research programs, including the Electric Program Investment Charge program and the Public Interest Gas Research and Development program. (EPIC and Gas R&D Funding) Contact: Tiffany Solorio

- f. Association of Women in Water, Energy and Environment (AWWEE). Proposed resolution approving a \$2,500 purchase order for a one-year, CEC-wide membership with AWWEE, including use of the CEC's logo on AWWEE's website, and adopting staff's determination that this action is exempt from CEQA. This membership allows up to 20 CEC staff to attend any in-person AWWEE event and gives CEC access to all membership benefits offered. (ERPA Funding) Contact: Tiffany Solorio
- g. U.S. Department of Energy (DOE) - Lawrence Berkeley National Laboratory (LBNL). Proposed resolution approving amendment 3 to agreement 600-19-005 with DOE LBNL to increase funding by \$1,150,000, extend the agreement term to December 31, 2026, and revise the scope of work to expand analysis to off-road vehicles and equipment, charging infrastructure needs for Assembly Bill 2127 (Ting, 2018) reporting, modeling medium- and heavy-duty fuel cell vehicles for SB 643 (Archuleta, 2021), and assessing non-road sectors (such as aviation, maritime, rail, and emerging technologies). (CTP Funding) Contact: Micah Wofford

4. Morton Bay Geothermal Project (MBGP) (23-AFC-01).

Hearing and proposed order finding the MBGP, in the Salton Sea Known Geothermal Resource Area, in Imperial County, can produce geothermal resources in commercial quantities and therefore pursuant to CCR, title 20, section 1809(d) and Public Resources Code (PRC) sections 25540.2 and 25502, a Notice of Intent is not required; consideration and proposed order adopting the executive director's recommendation that 1) the application for MBGP is incomplete and should not be accepted to begin the 12-month Application for Certification (AFC) process, and 2) a committee be appointed to oversee the AFC proceeding. Contact: Eric Knight (Staff Presentation: 5 minutes)

5. Elmore North Geothermal Project (ENGP) (23-AFC-02).

Hearing and proposed order finding the ENGP, in the Salton Sea Known Geothermal Resource Area, Imperial County, can produce geothermal resources in commercial quantities and pursuant to CCR, section 1809(d) and PRC sections 25540.2 and 25502, a Notice of Intent is not required; consideration and proposed order adopting the executive director's recommendation that 1) the application for ENGP is incomplete and should not be accepted to begin the 12-month AFC process, and 2) a committee be appointed to oversee the AFC proceeding. Contact: Eric Knight (Staff Presentation: 5 minutes)

6. Black Rock Geothermal Project (BRGP) (23-AFC-03).

Hearing and proposed order finding the BRGP, in the Salton Sea Known Geothermal Resource Area, Imperial County, can produce geothermal resources in commercial quantities and pursuant to CCR, section 1809(d) and PRC sections 25540.2 and 25502, a Notice of Intent is not required; consideration and proposed order adopting the executive director's recommendation that 1) the application for BRGP is incomplete and should not be accepted to begin the 12-month AFC

process, and 2) a committee be appointed to oversee the AFC proceeding. Contact: Eric Knight (Staff Presentation: 5 minutes)

7. Russell City Energy Center (RCEC) Settlement Agreement (01-AFC-07C).

Proposed order approving a settlement agreement with Russell City Energy Company, LLC to resolve alleged violations of the General Conditions and Compliance Monitoring Plan for the RCEC arising from the May 27, 2021 event in which the steam turbine and generator at the RCEC incurred damage as a result of a mechanical failure due to an overspeed event. RCEC has agreed to pay \$1.25 million to the CEC for deposit in the State General Fund and \$1.25 million to the City of Hayward to fund energy projects. The CEC agrees to close the matter without further action or litigation. The approval of the settlement is exempt from CEQA. Contact: Dian Vorters (Staff Presentation: 5 minutes)

8. SB 846 Load Shift Goal.

Proposed resolution adopting a goal for load shifting to reduce net peak electrical demand, recommending policies to increase demand response and load shifting that do not increase greenhouse gas emissions or increase electric rates, and adopting staff's determination that this action is exempt from CEQA. This goal and associated recommendations were developed with the California Public Utilities Commission and the California Independent System Operator. The load shift goal and policy recommendations are mandated by SB 846 (Dodd, ch. 239, stats. 2022). Contact: Ingrid Neumann (Staff Presentation: 10 minutes)

9. California Schools Healthy Air, Plumbing, and Efficiency Program (CalSHAPE) (20-RENEW-01).

Proposed resolution approving the Third Edition of the CalSHAPE Ventilation Program Guidelines, and adopting staff's determination that this action is exempt from CEQA. The CalSHAPE Ventilation Program provides grants to local education agencies for the assessment, maintenance, and repair of HVAC systems in California schools. The Third Edition of the CalSHAPE Ventilation Program Guidelines will add provisions to include awards for major repairs and replacements of HVAC systems. Contact: David Velazquez (Staff Presentation: 10 minutes)

10. Load Management Standards Implementation (23-LMS-01).

Proposed order regarding a request from large investor-owned utilities and large community choice aggregators for an extension of the July 1, 2023 deadline to upload existing time-dependent electricity rates to the CEC's Market-Informed Demand Automation Server database. The executive director has determined that the parties have not provided adequate reason for a nine-month delay but that a shorter delay is warranted and recommends that the CEC adopt the proposed order. Contact: Gavin Situ (Staff Presentation: 10 minutes)

11. Petition to Request a Rulemaking Hearing.

Consideration of and action on a petition for rulemaking under CCR, title 20, section 1221. The petition was filed by Western States Petroleum Association (WSPA) on

May 11, 2023, and certified as complete by the executive director on May 18, 2023. WSPA is requesting a rulemaking hearing to interpret and make specific portions of SB X1-2 (2022 1st Ex. Sess.) and SB 1322 (Allen, ch. 374, stats. 2022) regarding the submission of information to the CEC. Contact: Aleecia Gutierrez (Staff Presentation: 5 minutes)

12. Lead Commissioner or Presiding Member Reports.

A lead commissioner on a policy matter and a presiding member on a delegated committee may report to the CEC on relevant matters and discussion may follow.

13. Executive Director's Report.

14. Public Advisor's Report.

15. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(e)(1), the CEC may adjourn to closed session with its legal counsel to discuss the following matter to which the CEC is a party:

- i. *Interlink Products International, Inc. v. Drew Bohan, Maunee Berenstein* (United States District Court for the Eastern District of California, Case No. 2:20-cv-02277).

Remote Access Instructions

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<https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErZ09>.

Zoom may also be accessed at <https://zoom.us/join>. To join, enter the **meeting ID 938-6923-0237** and the **password mtg@10am**. To participate by phone, dial (669) 900-6833 or toll free at (888) 475-4499 and enter **meeting ID 938-6923-0237**. For Zoom technical support dial (888) 799-9666 ext. 2 or contact the CEC's Public Advisor for help at publicadvisor@energy.ca.gov and (916) 957-7910.

Public comments are welcomed at the business meeting during announced times.

Comments will be limited to two minutes or less per speaker and one speaker per entity depending on the proposed agenda and number of commenters.

If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment. The Public Advisor will open your line to speak. Please restate and spell your name for the record, indicate any affiliation, and begin your comments.

If participating by telephone, press *9 to "raise your hand" and *6 to mute/unmute. The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking, restate and spell your name for the record, indicate any affiliation, and begin your comments.

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Attendees can use the service by clicking on the "live transcript" CC icon and then choosing either "show subtitle" or "view full transcript." The closed captioning service can be stopped by exiting the "live transcript" or selecting the "hide subtitle" icon. If using a phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. A full and formal transcript rendered by a professional court reporter will be docketed in the CEC business meeting docket.

Public Advisor Assistance. Direct questions about how to participate in the business meeting or requests for interpreting services or other reasonable modifications and accommodations to the Public Advisor at publicadvisor@energy.ca.gov or by phone at (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made as soon as possible and at least five days in advance. The CEC will work diligently to meet all requests based on the availability of the service or resource needed. Additionally, the Public Advisor may upon the request of public participants who may be absent when a matter of interest to them is being considered, neutrally read their comments into the record during the public comment period. If you are interested in this service, please email concise comments before the start of the business meeting to the Public Advisor. Comments submitted after the

business meeting starts or that cannot be read within a two-minute timeframe will be filed in the business meeting docket.

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Adjournment. Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129)

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