

DOCKETED

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California Energy Commission
Business Meeting Agenda

December 13, 2023
10:00 a.m. – 3:30 p.m.

In-person at:

California Natural Resources Agency Building
715 P Street
First Floor Auditorium
Sacramento, California 95814
(Wheelchair Accessible)

Remote Access via Zoom™

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

Remote participation instructions are below, after the agenda 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. To continue to protect the health and safety of civil servants and the public, this meeting will be held consistent with Senate Bill 143 (Stats. 2023, chapter 196) and one or more commissioners may participate remotely.

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.

Please visit the CEC [Business Meeting web page](https://www.energy.ca.gov/proceedings/business-meetings) for more information and materials at <https://www.energy.ca.gov/proceedings/business-meetings>.

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. Telos Energy, Inc. Proposed resolution approving amendment #1 to contract 800-22-004 with Telos Energy, Inc to extend the contract and add supplemental funds of \$500,000, for continued support with electricity supply system models to better perform the analysis required by Senate Bill 846 (Stats. 2022, ch. 239). (General Fund Funding) Contact: Mark Kootstra
- b. Rincon Band of Luiseño Indians. Proposed resolution approving amendment #2 to agreement EPC-19-050 with the Rincon Band of Luiseño Indians to update the project scope, reduce the award amount by \$663,752, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). SDG&E is updating the distribution infrastructure to the project site within the Rincon Reservation to improve resiliency and add protective measures against grid outages to reduce the project's energy storage and solar capacity needs. The amendment reduces the scope of energy storage requirements while ensuring the economic viability of the project. (EPIC Funding) Contact: Caitlin Planchard
- c. Electric Power Research Institute, Inc. Proposed resolution approving amendment #2 to agreement EPC-19-054 with Electric Power Research Institute, Inc. to update the purpose in the scope of work, and adopting staff's determination that this action will not alter the CEQA exemption findings in the original grant agreement. The amendment will modify recruitment criteria from "multifamily affordable housing complexes" to "affordable single-family buildings," and will update the building's Title 24 Energy Code compliance requirement to accommodate new and existing buildings for recruiting projects. (EPIC Funding) Contact: Sebastian Ruiz
- d. FirstElement Fuel, Inc. Proposed resolution approving agreement ZVI-23-004 with FirstElement Fuel, Inc. for a \$3,376,800 grant to develop a high-capacity, improved reliability liquid hydrogen pump system in Alameda County capable of 10 kilogram-per-minute fills for applications including light, medium-, and heavy-duty on-road vehicles, and adopting staff's determination that this action is exempt from CEQA. (General Fund Funding) Contact: Daniel Siu
- e. Local Ordinance for the City of San Luis Obispo. Proposed resolution making findings pursuant to Public Resources Code section 25402.1(h)(2) concerning the City of San Luis Obispo's local ordinance, which requires that all newly constructed buildings exceed the efficiency requirements of the 2022 Energy Code by a specific margin depending on the respective building type. Contact: Danuta Drozdowicz

4. Information Item - STEP Division Efforts to Optimize Performance of Jurisdictional Facilities During Summer 2023.

Staff will present an overview of the Siting, Transmission, and Environmental Protection (STEP) Division's actions to address the performance of resources credited to resource adequacy requirements by the CEC jurisdictional power plant fleet in preparation for potential 2023 summer heat waves. Contact: Elizabeth Huber (Staff Presentation: 10 minutes)

5. Renewables Portfolio Standard 2017-2020 Verification Results Reports.

Proposed resolution adopting multiple Renewables Portfolio Standard Verification Results Reports for Publicly Owned Electric Utilities (POUs) for Compliance Period 3 (2017-2020). Each report provides information specific to that POU on the number of eligible renewable energy credits (REC) retired and applied for the Compliance Period 3 Procurement Target. Each report details RECs by Portfolio Content Category classification; Long-Term Procurement Requirement classification, as applicable; prior balances and ending balances of historic carryover and excess procurement; the REC procurement target and portfolio balance requirements; and optional compliance measures. Contact: Kevin Chou (Staff Presentation: 10 minutes)

6. Form Energy, Inc.

Proposed resolution adopting CEQA findings, a Mitigated Negative Declaration (MND), and a Mitigation Monitoring and Reporting Program (MMRP) for Form Energy, Inc.'s Commercial Demonstration of a Long-Duration Energy Storage System Agreement, number LDS-22-004, and approving amendment #1 to agreement LDS-22-004 with Form Energy, Inc. (LDES Funding). Contact: Yahui Yang (Staff Presentation: 5 minutes)

- a. CEQA. Possible adoption of an MND and MMRP as lead agency for construction and operation of the East Road Storage Project in Mendocino County. Possible adoption of CEQA findings, inclusive of the findings in the October 2023 Initial Study (IS) and MND, and finding that all project-related environmental impacts would be reduced to a less than significant level with the incorporation and implementation of the mitigation measures proposed in the IS for the technical areas of biological resources, cultural resources and cultural tribal resources, geology and soils, hazards and hazardous materials, noise, and transportation.
- b. Form Energy, Inc.'s Commercial Demonstration of a Long-Duration Energy Storage System. Possible approval of amendment #1 to agreement LDS-22-004 for term extension, budget augmentation, and scope of work revision. This amendment will increase the funding by \$29,920,400 for a total of \$30,000,000, extend the project term by five years and one month, and modify the scope of work to include project tasks to construct and operate an iron-air energy storage system with a capacity of 5 megawatts (MW)/500 megawatt hours (MWh) in Mendocino County. The commercial deployment of this long-duration energy

storage technology will demonstrate a cost-effective solution to support grid reliability, resilience, and decarbonization.

7. Electric School Bus Bi-Directional Infrastructure – GFO-22-612.

This solicitation sought to fund projects that support the ability to enable managed charging and bi-directional power flow for electric school buses and their infrastructure. This item includes three projects totaling \$7,834,745 (General Fund Funding) Contact: Lauren Jansen (Staff Presentation: 10 minutes)

- a. Storer Transportation Service. Proposed resolution approving agreement ZVI-23-005 with Storer Transportation Service for a \$3,000,000 grant to install 37 bi-directional charging ports at two Modesto school district sites, and adopting staff's determination that this action is exempt from CEQA. Storer Transportation Service and its partners will utilize experience and lessons learned to inform the development of a vehicle-to-grid blueprint as a replicable, scalable approach to help other school bus fleets transition to zero-emission buses and bi-directional charging infrastructure.
- b. Nuve Holding Corp. (Nuve). Proposed resolution approving agreement ZVI-23-006 with Nuve for a \$1,910,703 grant to install at least three bi-directional charging ports and electrical equipment for microgrids at two San Diego school district sites, and adopting staff's determination that this action is exempt from CEQA. This project will expand vehicle-to-grid capabilities through the integration of bi-directional charging ports with microgrids utilizing battery energy storage systems as backup power. Nuve will develop a scalable vehicle-to-grid and vehicle-to-building blueprint to demonstrate opportunities for other school districts to transition to zero-emission school buses and bi-directional charging infrastructure.
- c. The Mobility House, LLC. Proposed resolution approving agreement ZVI-23-007 with The Mobility House, LLC, for a \$2,924,042 grant to install at least 12 single port bi-directional chargers across four parking lot sites owned by three California unified school districts, Napa Valley, Pittsburg, and Fremont, and adopting staff's determination that this action is exempt from CEQA. The Mobility House, LLC and its partners will also develop a vehicle-to-grid and vehicle-to-building blueprint as a replicable, scalable approach to help other school bus fleets transition to zero-emission buses and bi-directional charging infrastructure.

8. Senate Bill 114 Funded Charging and Refueling Infrastructure Program Guiding Principles (Docket 18-TRAN-01).

Proposed resolution adopting guiding principles for the Senate Bill 114 (Stats. 2023, ch. 48, § 96) Funded Charging and Refueling Infrastructure Program (Program), and adopting staff's determination that this action is exempt from CEQA. The Program will fund zero-emission school bus charging or fueling infrastructure and related activities, including but not limited to, charging and fueling stations, equipment, site design, construction, and related infrastructure upgrades. These guiding principles provide a framework for program design, which will be developed and implemented

by a competitively selected third-party administrator. Contact: Elizabeth Menchaca-Guhl (Staff Presentation: 5 minutes)

9. Minutes.

Possible approval of the November 8, 2023, Business Meeting minutes.

10. Lead Commissioner or Presiding Member Reports.

Lead commissioners on policy matters and presiding members on delegated committees may report to the CEC on relevant matters and discussion may follow.

11. Executive Director's Report.

12. Public Advisor's Report.

13. 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 pending litigation:

- i. Pit River Tribe, et al. vs. California Energy Commission (Shasta County Superior Court, Case No. 23CV-0203737).
- ii. California Energy Commission agreement with CalCERTS, Inc. (23-HERS-02).

In-Person Instructions

Visitors of the CNRA building attending the business meeting held in the first-floor auditorium should proceed directly to the auditorium and do not need to sign in at the lobby security desk. Please note that visitors are solely permitted in the auditorium, restrooms, and cafeteria without a visitor badge or staff escort. Masks and social distancing are encouraged but not required.

Remote Access Instructions

Remote access is available by either internet or call-in options.

Zoom: Click the link below to participate and provide public comment via Zoom.

<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.

Zoom's closed captioning service will be enabled for CEC business meetings. 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)