

STATE OF CALIFORNIA

ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

DOCKET	
09-SOPR-1	
DATE	<u>JAN 13 2010</u>
RECD.	<u>JAN 26 2010</u>

In the matter of:) Docket: 09-SOPR-1
)
 Developing Regulations for) ORDER INSTITUTING RULEMAKING
 Solar Offset Program)
) Order No. 10-0113-11
 _____)

I. PURPOSE OF THE PROCEEDING

Pursuant to Public Resources Code sections 25210 and 25213 and Title 20, California Code of Regulations, section 1222(a), the California Energy Commission (Energy Commission) hereby institutes a rulemaking proceeding. The purpose of this proceeding is to develop regulations to govern the requirements for alternatives to offering solar energy systems as an option for new production homes pursuant to Public Resources Code section 25405.5. Section 25405.5 requires sellers of production homes to offer a solar energy system option to all customers who enter into negotiations to purchase a new production home constructed on land for which an application for a tentative subdivision map has been deemed complete on or after January 1, 2011. It also requires the Energy Commission to develop an offset program that allows a developer or seller of such production homes to forgo the requirement of offering a solar energy system option on a particular project by installing solar energy systems generating specified amounts of electricity on other projects.

II. DELEGATION OF AUTHORITY TO THE RENEWABLES COMMITTEE

The Renewables Committee consisting of a Commissioner, yet to be named, as Presiding Member and Chairman Karen Douglas as Associate Member, or a successor committee with comparable powers and duties appointed pursuant to Public Resources Code section 25211 (Committee), shall preside over this rulemaking proceeding. The Committee may hold workshops and hearings as it deems appropriate and shall take all actions necessary and appropriate to comply with all applicable legal requirements of the Public Resources Code and the Administrative Procedure Act (Gov. Code §11340 et seq.), including submission, after an Energy Commission hearing, of all necessary documents to the Office of Administrative Law, and issuance of notices for all hearings and workshops.

III. PUBLIC PARTICIPATION

The Energy Commission encourages full and free public participation in this proceeding. Any person present at any hearing or workshop shall be afforded a reasonable opportunity to make oral comments on the subject matter of the proceeding. Petitions to intervene are not necessary. The Committee shall issue one or more notices indicating the date of any hearings or workshops in the proceeding. Any person may file written comments on the subject of this proceeding as specified in a Committee notice. Written comments must be received at the following address by the date specified in the Committee notice:

Docket No. 09-SOPR-1
Docket Unit, MS-4
California Energy Commission
1516 Ninth Street
Sacramento, California 95814-5512

The Executive Director shall ensure that this order and notices of any hearings and workshops are distributed to all interested persons and that drafts of the regulations are made available sufficiently in advance of workshops, interim hearings, and final adoption by the Energy Commission to allow timely participation.

The Energy Commission's Public Adviser is available to help any person who wants to participate in this proceeding. For information on how to participate in this proceeding, please contact the Public Adviser's Office at (916) 654-4489 or toll-free in California at (800) 822-6288, by fax at (916) 654-4493, or by email at [pao@energy.state.ca.us]. Technical questions about this proceeding should be addressed to Sherrill Neidich at (916) 651-1463 or by email at [sneidich@energy.state.ca.us].

Date:

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ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

KAREN DOUGLAS, J.D.
Chairman

JAMES D. BOYD
Vice Chairman

JEFFREY D. BYRON
Commissioner

ARTHUR H. ROSENFELD, Ph.D
Commissioner