

**CALIFORNIA ENERGY COMMISSION**1516 Ninth Street  
Sacramento, California 95814Main website: [www.energy.ca.gov](http://www.energy.ca.gov)

In the matter of,  
 Implementation of – SB 454  
 (Public Resources Code section 25402.11  
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) Docket No. 12-AAER-1  
 ) STAFF WORKSHOP  
 ) RE: Appliance Efficiency  
 ) Enforcement Rulemaking

**DOCKET****12-AAER-1**

DATE FEB 23 2012

RECD. FEB 23 2012

## Staff Workshop Appliance Efficiency Enforcement Rulemaking

The California Energy Commission Appliance Efficiency Program staff will conduct a public workshop to seek comments from interested parties regarding the establishment and implementation of an administrative enforcement process for the Commission's Appliance Efficiency Regulations, found in Sections 1601 through 1608 of Title 20 of the California Code of Regulations.

Prior to the workshop an agenda will be posted on the Commission's website at <http://www.energy.ca.gov/appliances/enforcement/>. This agenda will provide stakeholders with details regarding topics to be covered during the workshop, which the public is invited to attend and which will be held on:

**MARCH 23, 2012**

10 a.m. to 3 p.m.

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

First Floor, Hearing Room A

Sacramento, California

(Wheelchair Accessible)

**Purpose**

This staff workshop will provide industry, stakeholders, and the public the opportunity to comment on initial questions that will guide the Energy Commission in crafting an administrative enforcement process during the formal rulemaking process that will follow.

Based on the stakeholder feedback obtained through this workshop, and other relevant information identified by Energy Commission staff, staff will prepare and post, in late April 2012, a document setting forth the proposed rulemaking schedule. All parties are encouraged to submit information, recommendations, and/or proposals to pre-rulemaking docket number 12-AAER-1 to inform future workshop discussions during the formal rulemaking proceeding to follow.

## **Agenda**

An agenda will be posted prior to the meeting. Attached is a Request For Information document with a list of questions for consideration to guide the workshop discussion.

## **Background**

On October 8, 2011, Governor Brown signed Senate Bill 454 (Pavley, Chapter 591, Statutes of 2011), which adds Section 25402.11 to the Public Resources Code and provides the Energy Commission with the authority to issue citations and fines when provisions of the Appliance Efficiency Regulations are violated.

Specifically, the bill does the following:

- Authorizes the Commission to establish an administrative enforcement process to enforce the requirements of the Appliance Efficiency Regulations.
- Provides for the assessment of civil penalties by the court, or administrative penalties by the Commission for violations of the Appliance Efficiency Regulations.
- Requires that the penalties collected to be deposited into an “Appliance Efficiency Enforcement Subaccount” for use (when appropriated) for public education on appliance efficiency and for enforcement.
- Requires courts, when granting relief for a violation, to award the Commission’s costs incurred for investigating and prosecuting an action.

In order to implement the provisions in the bill, on January 12, 2012, the Energy Commission adopted an Order Instituting Rulemaking (OIR) to open a proceeding needed to establish the administrative enforcement process authorized by Public Resources Code section 25402.11.<sup>1</sup> This workshop is being held prior to the opening of the official rulemaking process.

## **Written Comments**

Please submit any written comments for discussion at the workshop by 5:00 p.m. Pacific Daylight Time (PDT) on March 21, 2012. Following the workshop there will be another written comment period, during which written comments may be submitted by 5:00 p.m. PDT on April 30, 2012. Please include the pre-rulemaking docket number 12-AAER-1 and indicate “Appliance Efficiency Enforcement Rulemaking” in the subject line or first paragraph of your comments.

The Energy Commission encourages comments by e-mail. Please include your organization’s name or your name in the name of the file. Those submitting attached comments by electronic mail should provide them in either Microsoft Word format or as a Portable Document Format (PDF) to [docket@energy.state.ca.us]. A paper copy may also be sent to the Energy Commission’s Docket Unit.

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<sup>1</sup> The OIR can be found at the following link – [http://www.energy.ca.gov/appliances/enforcement/notices/2012-01-12\\_Order\\_Instituting\\_Rulemaking.pdf](http://www.energy.ca.gov/appliances/enforcement/notices/2012-01-12_Order_Instituting_Rulemaking.pdf).

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 12-AAER-1  
1516 Ninth Street  
Sacramento, CA 95814-5512

Participants may also provide an original copy and 10 copies at the beginning of the workshop. All written materials relating to this workshop will be filed with the Dockets Unit and become part of the public record in this proceeding.

## **Public Participation**

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission activities. If you want further information on how to participate in this forum, please contact the Public Adviser's Office at (916) 654-4489 or toll free at (800) 822-6228, by FAX at (916) 654-4493, or by e-mail at [PublicAdviser@energy.ca.gov](mailto:PublicAdviser@energy.ca.gov). If you have a disability and require assistance to participate, please contact Lou Quiroz at (916) 654-5146 at least five days in advance.

Please direct all news media inquiries to the Media and Public Communications Office at (916) 654-4989, or by e-mail at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

If you have questions on the technical subject matter of this meeting, please contact Tovah Ealey at (916) 651-3003, or by e-mail at [Tealey@energy.ca.gov](mailto:Tealey@energy.ca.gov).

## **Remote Attendance**

You can participate in this workshop through WebEx, the Energy Commission's online meeting service. Presentations will appear on your computer screen, and you participate in the workshop via your telephone. Please be aware that the workshop's WebEx audio and on-screen activity may be recorded.

### **Computer Log-on with Telephone Audio:**

1. Please go to <https://energy.webex.com> and enter the meeting number:  
**925 437 188**
2. When prompted, enter your name other information as directed and the meeting password: **mtg@10**
3. After you log-in, a prompt will ask for your phone number. If you wish to have WebEx call you back, enter your phone number. This will put add your name on the WebEx log so that we know who is connected and have a record of your participating by WebEx.

If you do not wish to do that, click cancel, and go to step 4. Or, if your company uses an older switchboard-type of phone system where your line is an extension, click cancel and go to step 4.

4. If you didn't want WebEx to call you back, then call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number, which is listed in the top left area of your screen after you login via computer. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

**Telephone Only (No Computer Access):**

1. Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the meeting number **925 437 188**. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Date: [February 23, 2012](#)

Enclosures

Appliance Efficiency Program Mailing lists and listservers: appliances (listserver), appliance\_enforcement (listserver)