

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION

WHEREAS, Senate Bill 1 (SB 1, Statutes of 2006, Chapter 132), as codified in Public Resources Code sections 25780 through 25784, directs the California Energy Commission, by January 1, 2008, to establish eligibility criteria, conditions for incentives and rating standards for projects applying for ratepayer-funded incentives for solar energy systems pursuant to SB 1; and

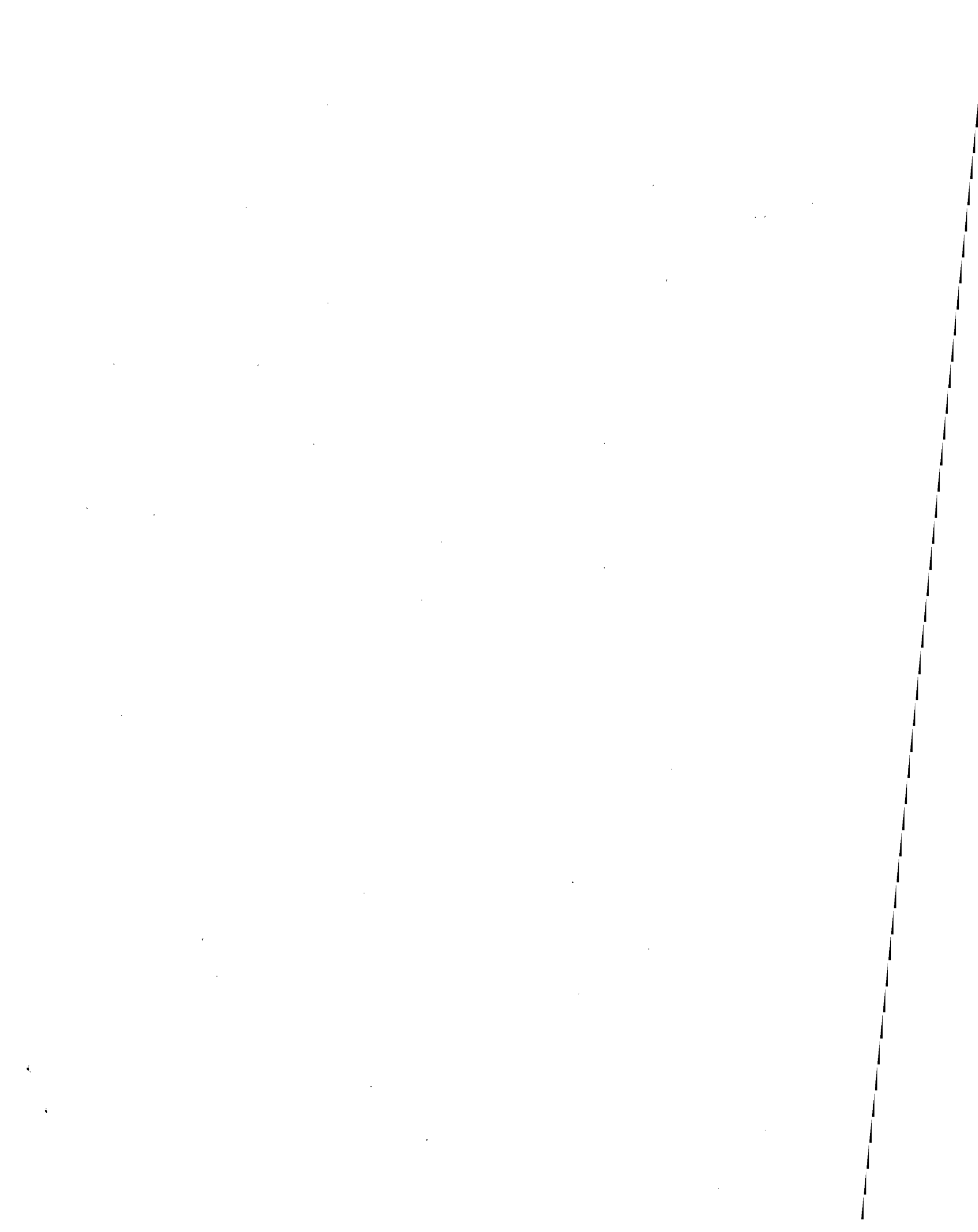
WHEREAS, Public Resources Code section 25784 directs the California Energy Commission to adopt guidelines to establish the eligibility criteria, conditions for incentives, and rating standards for all ratepayer-funded solar energy incentive programs pursuant to SB 1, including incentive programs administered by the California Energy Commission, the California Public Utilities Commission (CPUC), and local publicly owned electric utilities (POUs); and

WHEREAS, on December 19, 2007, the California Energy Commission adopted guidelines, entitled the *Guidelines for California's Solar Electric Incentive Programs Pursuant to Senate Bill 1* ("SB 1 Guidelines"), establishing eligibility criteria, conditions for incentives and rating standards for all ratepayer-funded solar energy incentive program in accordance with Public Resources Code section 25784; and

WHEREAS, Staff, with input and guidance from renewables lead Commissioner Carla J. Peterman, has proposed revisions to the SB 1 Guidelines that include revisions to the field verification section, performance monitoring & maintenance component, and the addition of clarification criteria for adding equipment to and a procedure for removing equipment from the Energy Commission's Eligible Equipment Lists; and

WHEREAS, the proposed revisions to the SB 1 Guidelines are limited in scope and have been proposed to incorporate input from New Solar Homes Partnership, CSI, and POU program administrators (PAs), promote better alignment of the overall requirements for California's solar electric incentive programs, and allow PAs more flexibility to streamline their programs to meet the dynamics of their electricity ratepayer customer base; and

WHEREAS, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the proposed revisions to the SB 1 Guidelines and opined that the adoption of these guideline revisions is exempt from CEQA, because it is not a "project" subject to CEQA pursuant to Title 14, California Code of



Regulations, section 15378 (b)(2) and (4), because it deals with general policy and procedure making and the creation of governmental funding mechanisms which do not involve any specific project, and also because it falls within the so-called "common sense" exemption pursuant to Title 14, California Code of Regulations, section 15061(b)(3), which indicates that CEQA only applies to projects that have a "significant effect on the environment" which is defined in Public Resources Code section 21068 and in Title 14, California Code of Regulations, section 15382, as being a substantial, or potentially substantial, adverse change in the environment; and

WHEREAS, the California Energy Commission has considered staff's proposed revisions to the SB 1 Guidelines and finds that its adoption of the proposed guideline revisions is exempt from CEQA for the reasons opined by the legal office, and accepts and approves the proposed guideline revisions; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts the revisions to the SB 1 Guidelines and authorizes the Executive Director, or his designee, to implement these guidelines on the California Energy Commission's behalf.

CERTIFICATION

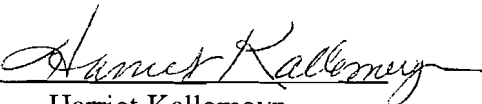
The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on January 9, 2013.

AYE: Weisenmiller, Douglas, Peterman, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Harriet Kallemeyn,
Secretariat

