

DOCKETED

Docket Number:	13-CCEJA-01
Project Title:	Prop 39 - California Clean Energy Jobs Act
TN #:	211982
Document Title:	Notice to Consider Adoption of the Proposed Substantive Changes to the Guidelines for the California Clean Energy Jobs Act
Description:	N/A
Filer:	Marites Antonio
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	6/27/2016 11:17:47 AM
Docketed Date:	6/27/2016

CALIFORNIA ENERGY COMMISSION1516 Ninth Street
Sacramento, California 95814Main website: www.energy.ca.gov

In the matter of:) Docket No. Docket 13-CCEJA-01
)
 California Clean Energy Jobs Act (CCEJA)) Business Meeting
) RE: Adoption of Proposed
) Substantive Changes to *Guidelines*
) for the California Clean Energy
) Jobs Act (Proposition 39)

Notice to Consider Adoption of the Proposed Substantive Changes to the *Guidelines* for the California Clean Energy Jobs Act (Proposition 39)

The California Energy Commission will hold a business meeting on:

July 13, 2016
 Beginning at 10:00 a.m.
 CALIFORNIA ENERGY COMMISSION
 1516 Ninth Street
 Art Rosenfeld Hearing Room, First Floor
 Sacramento, California
 (Wheelchair Accessible)

Note: Audio from this meeting will be broadcast over the Internet with remote access
 available by computer or phone via WebEx.™
 (Instructions below)

The Energy Commission will consider adoption of the proposed substantive changes to the Proposition 39 California Clean Energy Jobs Act (*Guidelines*). The proposed substantive changes to the *Guidelines* are posted on the Energy Commission website at: www.energy.ca.gov/efficiency/proposition39/index.html

Energy Commission staff will present an overview of the content of the proposed substantive changes to the *Guidelines*. The public can provide input on the proposed changes prior to July 13 by submitting comments to the Energy Commission at doCKET@energy.ca.gov. The subject line shall include "Docket 13-CCEJA-01: Comments on Prop 39." At the business meeting, the Energy Commission will

summarize all proposed changes and provide an opportunity for public comment on the *Guidelines* prior to adoption.

Background

Passed by voters in November 2012, Proposition 39 makes changes to corporate income taxes and provides up to \$550 million to improve the energy efficiency of California's aging schools and grow the state's significant clean energy economy. California public schools (K-12), county offices of education, community college districts, charter schools, and state special schools may receive funding for fiscal years starting with the 2013-14 fiscal year.

Under Senate Bill 73 (Committee on Budget and Fiscal Review, Stats. 2013, Ch. 29.), the Legislature directed the Energy Commission to adopt the *Guidelines* at a publicly noticed meeting and to provide an opportunity for public comment. The adoption of the *Guidelines* is exempt from the administrative rulemaking process found in Chapter 3.5 (commencing with Section 11340) of Part 1, Division 3, Title 2 of the Government Code. The initial *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines* were formally adopted by the Energy Commission in December 2013; nonsubstantive revisions were made in April 2014, and substantive changes were made in June 2014, and most recently in December 2014.

One set of proposed changes was posted on the California Energy Commission's Proposition 39 webpage on April 27, 2016. These proposed changes:

- clarify language;
- update funding appropriations for fiscal year 2015/16;
- change the date the Energy Commission will report to the Citizens Oversight Board;
- revise the description of when an energy audit is required;
- remove the ASHRAE level 2 energy audit requirement;
- allow for an alternative electric rate for local educational agencies receiving a Federal government First Preference Federal power rate;
- add a legal reference regarding the repeal of Section 20133 of the Public Contract Code;
- clarify when and how local educational agencies report work progress, final project completion and energy savings after project completion; and
- make changes to Appendix E that include added eligible energy measures, changes in the effective useful life in years for some eligible energy measures, and warranty clarifications to selected eligible energy measures.

Changes proposed on April 27, 2016 are indicated by a single underline and single strikeout in the document.

Additional proposed changes were posted on June 27, 2016. These additional proposed changes:

- lower Savings to Investment Ratio;

- revise the zero net energy alternative for LEAs with school sites that are zero net energy;
- remove one of the terms and conditions for Power Purchase Agreements;
- increased the annual maintenance cost savings from 2 to 3 percent of project cost
- provide clarification to the panel performance warranty required for a 25 year effective useful life for solar photovoltaic, and
- add a footnote back into the *Guidelines* that was mistakenly omitted.

Changes posted on June 27, 2016, are indicated by a double underline and double strikeout in the document.

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office is available to assist any person who wishes to participate in this proceeding. For assistance from the Public Adviser's Office please call (916) 654-4489, or toll free at (800) 822-6228, or e-mail at PublicAdviser@energy.ca.gov.

If you have a disability and require assistance to participate in the Energy Commission adoption hearing, please contact Lou Quiroz at lquiroz@energy.ca.gov or (916) 654-5146 at least five days in advance of the adoption hearing.

News media inquiries should be directed to the Media and Public Communications Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov. If interested parties have questions on the subject matter of this proceeding, please contact Elizabeth Shirakh at elizabeth.shirakh@energy.ca.gov or (916) 654-4089. If you have legal questions about this proceeding, please contact Caryn Holmes at caryn.holmes@energy.ca.gov or (916) 654-4178.

Remote Attendance

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

To join a meeting:

VIA COMPUTER: The business meeting is broadcast via WebEx, the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please click the following link or paste it into your browser:

<https://energy.webex.com/energy/onstage/g.php?t=a&d=922073558>

You may also go to <https://energy.webex.com/ec> and enter meeting number

922 073 558. The meeting password is **mtg@10am**. If you listen to the WebEx using computer speakers, then you are in listen-only mode. To make a comment or ask a question, please dial into the meeting at 888-823-5065. You will be greeted by an operator who will give you further instructions on how to participate by telephone.

VIA TELEPHONE ONLY (no visual presentation): To participate by telephone, please call toll free 1-888-823-5065 on Business Meeting days after 10:01 a.m. (PDT). The pass code for the meeting is "Business Meeting" and the call leader is Jerome Lee. If you plan to speak on a specific item, please give the operator the item number.

To avoid occasional technical problems with the Energy Commission's telephone link, the Energy Commission recommends that a written comment also be submitted either by facsimile or e-mail to the Public Adviser by 5 p.m. two days before the scheduled business meeting. Fax (916) 654-4493 or e-mail publicadviser@energy.ca.gov.

Availability of Documents

Public comments submitted to the Docket #13-CCEJA-01 are available on line at: <http://docketsearch.energy.ca.gov/Pages/results.aspx>. (Type "13-CCEJA-01" into the search box.)

The proposed substantive changes to the *Guidelines* are available online at: www.energy.ca.gov/efficiency/proposition39/index.html.

Date: June 27, 2016



J. ANDREW McALLISTER
Lead Commissioner of Energy Efficiency

Mail Lists:
California Clean Energy Jobs Act (Proposition 39) listserv