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TITLE 20. PUBLIC UTILITIES AND ENERGY
DIVISION 2. STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION

CHAPTER 3. DATA COLLECTION

ARTICLES 1, 2, 3, 4

AND

CHAPTER 7. ADMINISTRATION

ARTICLE 2. DISCLOSURE OF CONFIDENTIAL RECORDS

EXPRESS TERMS:

Chapter 3. Data Collection

Article 1. Quarterly Fuel and Energy Reports

§ 1302. Rules of Construction and Definitions.

(a) Rules of Construction.

- (1) Where the context requires, the singular includes the plural and the plural includes the singular.
- (2) The use of “and” in a conjunctive position means that all elements in the provision must be complied with, or must exist to make the provision applicable. Where compliance with one or more elements suffices, or where existence of one or more elements make the provision applicable, “or” (rather than “and/or”) is used.

(b) Definitions. In this Article, the following definitions apply unless the context clearly requires otherwise:

- (1) “Base gas” means the volume of gas needed to maintain adequate reservoir pressures and deliverability rates throughout the withdrawal season. Base gas usually is not withdrawn, and remains in the reservoir.
- ~~(1)~~(2) “California offshore lands” means all lands under California state jurisdiction pursuant to subdivision (a)(2) of 43 U.S.C. Section 1301.
- ~~(2)~~(3) “Cogenerator” means a power plant that produces (1) electricity; and (2) useful thermal output for industrial, commercial, heating, or cooling purposes.
- (4) “Community Choice Aggregator or “CCA” has the meaning set forth in Public Utilities Code section 331.1.
- ~~(3)~~(5) “Company” means any person, firm, association, organization, partnership, business trust, corporation, or public entity, or any subsidiary, parent, affiliate, department, or agency thereof.

~~(4)~~(6) “Control area” means an electric system or systems, bounded by interconnection metering and telemetry, capable of controlling generation to maintain its interchange schedule with other Control Areas and contributing to frequency regulation of the Western Electricity Coordinating Council.

(7) “Control Area Operator” means the entity responsible for the operation of a control area. Also referred to as a Balancing Authority.

~~(5)~~(8) “Core customer” means a natural gas customer that consumes less than 20,800 therms of natural gas per month.

~~(6)~~(9) “Customer” means an active billed account, of a UDC, an LSE, or a gas utility.

(A) “Bundled customer” means an end-user who receives generation services from the same LSE from which it receives distribution services.

(B) “Unbundled customer” means an end-user who receives generation services from one LSE and distribution services from a UDC that is a separate entity from that LSE.

~~(7)~~(10) “Customer Classification Code” means NAICS codes and the following codes:

(A) RE0000 for residential service;

(B) 925190 for streetlighting service;

~~(B)~~(C) 221311 for water supply service;

(D) 221312 for irrigation system service; and

(E) 999999 for unclassified service.

~~(8)~~(11) “Customer sector” means the following:

(A) residential customer sector: private households, including single and multiple family dwellings, plus NAICS code 81411;

(B) commercial building customer sector: NAICS codes 115, 2372, 326212, 42, 44-45, 48841, 493, 512, 516, 518, 519, 52-55, 561, 61, 62 (excluding 62191), 71, 72, 81 (excluding 81411), and 92 (excluding 92811);

(C) other commercial customer sector: NAICS codes 221 (excluding 22131), 48 (excluding 48841), 49 (excluding 493), 515, 517, 562, 62191, and 92811;

(D) industry customer sector: NAICS codes 11331, 31-33, 511, and 54171;

(E) other industry customer sector: NAICS codes 21 and 23 (excluding 2372);

(F) agriculture customer sector: NAICS codes 111, 112, 113 (excluding 11331), and 114;

(G) water pumping customer sector: NAICS code 22131;

(H) street lighting customer sector: lighting of streets, highways, other public thoroughfares, other outdoor area lighting, and traffic control lighting.

~~(9)~~(12) “Customer group” means the following:

- (A) residential: customers consuming electricity for residential purposes;
- (B) commercial: customers consuming electricity for commercial purposes;
- (C) industrial: customers consuming electricity for industrial purposes; and
- (D) other: customers consuming electricity for other purposes.

~~(40)~~(13) "Demand" means the rate at which electricity is delivered by generation, transmission, and distribution systems, measured in units of watts or standard multiples thereof, (e.g., 1,000 Watts = 1 kilowatt, 1000 kilowatt = 1 megawatt) or the rate at which natural gas, measured as million cubic feet per day, is consumed by the customer.

~~(41)~~(14) "Distribution service" means those services provided by a UDC when it constructs, maintains, and utilizes power lines and substations to transmit electrical energy within its distribution service area to end-users.

~~(42)~~(15) "Distribution service area" or "UDC service area" means the geographic area where a UDC distributes, or has distributed during an applicable reporting period, electricity to consumers.

~~(43)~~(16) "EIA" means the Energy Information Administration of the United States Department of Energy.

~~(44)~~(17) "Electric generator" means a machine that converts mechanical energy into electrical energy; or a device that converts non-mechanical energy to electricity directly, including without limitation photovoltaic solar cells and fuel cells.

(18) "Electric Service Provider" or "ESP" has the meaning set forth in Public Utilities Code section 394.

~~(45)~~(19) "Electric transmission system owner" means an entity, or where there is more than one owner, the majority of plurality owners or the managing partner, that owns an interconnected group of lines and associated equipment for the movement or transfer of electric energy between points of supply and points at which it is transformed for delivery to customers or is delivered to other electric systems.

~~(46)~~(20) "Electric utility" means any company engaged in, or authorized to engage in, generating, transmitting, or distributing electric power by any facilities, including, but not limited to, any such company subject to regulation of the Public Utilities Commission.

~~(47)~~(21) "End user" means any company that consumes electricity or natural gas for its own use and not for resale.

~~(48)~~(22) "Energy storage system" means commercially available technology that is capable of absorbing energy, storing, and dispatching the energy.

~~(49)~~(23) "Executive Director" means the Executive Director of the Commission, or his or her designee.

~~(20)~~(24) "Fuel cost" means the delivered cost of fuel consumed by an electric generator, expressed in dollars.

- ~~(21)~~(25) “Fuel use” means the amount of fuel, expressed in both physical units such as cubic foot, barrel, or ton, and in heat content such as Btus, used for gross generation, or for any other purpose related to the operation of an electric generator including without limitation providing spinning reserve, start-up, or flame stabilization.
- ~~(22)~~(26) “Gas processor” means any company that extracts, in California, natural gas liquids from natural gas produced from California reservoirs.
- ~~(23)~~(27) “Gas retailer” means any company that (a) sells natural gas to end users or customers located in California, (b) produces and consumes natural gas on-site in California (except for gas consumed for gathering, processing, or compressing purposes), or (c) produces natural gas at one site and consumes natural gas at another site that is in California and that is owned or controlled by the company.
- ~~(24)~~(28) “Gas service area” means the geographic area where a gas utility distributes, or has distributed during an applicable reporting period, natural gas to customers.
- ~~(25)~~(29) “Gas utility” means any company that is (a) engaged in, or authorized to engage in, distributing or transporting natural gas or natural gas liquids, and that is (b) either owned or operated by a governmental public entity or regulated by the California Public Utilities Commission.
- ~~(26)~~(30) “Generation service” means those services provided by an LSE when it procures electrical energy for consumption by its end-user customers.
- ~~(27)~~(31) “Gross generation” means the total amount of electricity produced by an electric generator.
- ~~(28)~~(32) “Hourly demand” means demand integrated over a single clock hour, measured in megawatt hours.
- ~~(29)~~(33) “Hourly load” means the chronological sequence of hourly demands for a specified subset of, or for all customers of, an LSE for a specified interval of time.
- ~~(30)~~(34) “Hourly sector load” means the hourly load of customer sectors measured at customer meters. Hourly sector data does not include losses.
- ~~(31)~~(35) “Hourly system load” means the hourly load of a UDC or a control area, measured at power plants and at interconnections. Hourly system load includes losses.
- (36) “Hub height” means the height above ground surface (in meters) of the center of the wind turbine hub.
- (37) “Injections” means the volume of gas injected into the underground gas storage project each day.
- ~~(32)~~(38) “Interchange” means electric power or energy that flows from one control area to another control area.

- ~~(33)~~(39) "Interstate pipeline" means any pipeline that crosses a state border and that is under the regulatory authority of the Federal Energy Regulatory Commission or its successors.
- ~~(34)~~(40) "Interstate pipeline company" means a company that owns or operates an interstate pipeline that delivers natural gas to California at the state's border or inside California's borders.
- ~~(35)~~(41) "Interval meter" means any energy meter capable of collecting and transmitting demand data at intervals of an hour or less.
- ~~(36)~~(42) "Interval meter data" means demand data collected and transmitted by interval meter.
- ~~(37)~~(43) "Load-serving entity" or "LSE" means any company that (a) sells or provides electricity to end users located in California, or (b) generates electricity at one site and consumes electricity at another site that is in California and that is owned or controlled by the company. LSE does not include the owner or operator of a cogenerator.
- ~~(38)~~(44) "Local publicly-owned electric utility" or "local publicly owned electric utility" has the same definition as provided in Public Utilities Code section ~~96042~~224.3.
- ~~(39)~~(45) "Losses" means electricity that is lost, primarily as waste heat, as a natural part of the process of transmitting electricity from power plants to end-users.
- ~~(40)~~(46) "Major customer sector" means the following:
- (A) "residential major customer sector," which means residential customer sector;
 - (B) "commercial major customer sector," which means commercial building customer sector;
 - (C) "industrial major customer sector", which means the sum of industry customer sector, and other industry customer sector; and
 - (D) "other major customer sector", which means the sum of agriculture customer sector, other commercial customer sector, street lighting customer sector, and water pumping customer sector.
- ~~(41)~~(47) "Meter identification number" means the unique number assigned by a utility to an individual meter for purposes of tracking demand and providing billing services.
- ~~(42)~~(48) "Monthly system peak demand" means the highest system hourly demand in a calendar month.
- ~~(43)~~(49) "Nameplate capacity" means the full-load continuous rating of an electric generator or a power plant under specific conditions as designated by the manufacturer.
- ~~(44)~~(50) "Natural gas liquids" means liquid products that are produced at natural gas processing facilities and that are gaseous at reservoir temperatures and pressures but are recoverable by condensation or absorption.

- ~~(45)~~(51) "Natural gas sales" means the amount of natural gas sold by a Gas Retailer to a customer.
- ~~(46)~~(52) "Net generation" means gross generation less plant use by an electric generator for auxiliary equipment.
- ~~(47)~~(53) "Noncore customer" means a natural gas customer that is not a core customer.
- ~~(48)~~(54) "North American Industry Classification System" or "NAICS" means the system of classification for business establishments set forth in the most recent version of the North American Industry Classification System United States Manual (Executive Office of the President, Office of Management and Budget, Washington, D.C.), and as revised thereafter in the Federal Register.
- ~~(49)~~(55) "NAICS Code" means the applicable 6-digit (unless otherwise specified) code in the NAICS for the entity being classified.
- ~~(50)~~(56) "Outer continental shelf" means all submerged lands lying seaward and outside of the area of lands beneath navigable waters, as defined in 43 U.S.C. Section 1301, and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.
- ~~(51)~~(57) "Peak demand" means the highest integrated net energy for load within a certain period (e.g., in a month, a season, or a year).
- (A) For a UDC, peak demand is the sum of all net energy for load, within a specific operating hour, for all LSEs providing generation services within a UDC's service area.
- (B) For each LSE, peak demand is the sum of all net energy for load, including assignable losses, within a specific operating hour for the specific customers to which the LSE provides generation services.
- (C) "Net energy for load" means generation energy injected into a specific electrical system, plus energy received from other systems less energy delivered to other systems through interchange. It includes losses, but excludes energy required to operate storage facilities or plant use by a generator.
- ~~(52)~~(58) "Person" means an individual human being.
- ~~(53)~~(59) "Plant use" means the electricity used in the operation of an electric generator, or the electricity used for pumping at pumped storage power plants. Plant use is also known as station use.
- ~~(54)~~(60) "Power plant" means a plant located in California or a California control area that contains one or more prime movers, or one or more electric generators, and appropriate auxiliary equipment.
- ~~(55)~~(61) "Power plant owner" means any company that owns a power plant, or, where there is more than one owner, the majority or plurality owner or the managing partner.

- ~~(56)~~(62) “Premise identification number” means the unique identification number assigned by a utility to a collection of buildings and/or meters serving an individual customer at a contiguous location.
- ~~(57)~~(63) “Prime mover” means the engine, gas turbine, steam turbine, water wheel, or other machine that produces the mechanical energy that drives an electric generator; or a device that converts non-mechanical energy to electricity directly, including without limitation photovoltaic solar cells and fuel cells.
- ~~(58)~~(64) “PV” means flat-plate non-concentrating photovoltaic modules.
- ~~(59)~~(65) “Rate schedule” means the alphanumeric designation for the utility service customer agreement including all service rates and charges and all classifications, practices, rules, or regulations which in any manner affect or relate to the utility services, rates, and charges.
- (66) “Rated wind speed” means the wind speed in meters per second (m/s) that applies to the rating of the nameplate capacity.
- (67) “Rotor area” means the rotor swept area in square meters for each turbine model.
- ~~(60)~~(68) “Secure electronic method” means any method of data transmission that uses end-to-end encryption such that information is encrypted at its origin and decrypted at its intended destination without intermediate decryption.
- ~~(61)~~(69) “Service account number” means the unique identification number assigned by a utility to an account to track demand and provide billing services.
- ~~(62)~~(70) “Stocks” means quantities of oil, natural gas, or natural gas liquids representing actual measured inventories corrected to 60 degrees Fahrenheit less basic sediment and water where an actual physical measurement is possible. Stocks include domestic and foreign quantities held at facility and in transit thereto, except those in transit by a pipeline.
- ~~(63)~~(71) “Submitted” means, with regard to data, a report, or an application that must be submitted by a specified date, that the data is received at the Commission by that date and that the data, report, or application is complete, accurate, and in compliance with the applicable requirements of this Article and with the forms and instructions specified under Section 1303 and 1342.
- ~~(64)~~(72) “Therm” means a unit of heat equal to 100,000 British thermal units (1.054 x 10⁸ joules).
- ~~(65)~~(73) “Tolling Agreement” means a contractual arrangement whereby the buyer of electricity agrees to provide specified amounts of natural gas to a power plant for conversion to specified amounts of electric energy over a specified period of time.
- (74) “Underground gas storage project” means a project for the injection and withdrawal of natural gas into an underground reservoir for the purpose of storage. An underground gas storage project includes the reservoir used for storage, the confining strata, gas storage wells, observation wells, and any other wells approved for use in the project. An underground gas storage project also

includes the wellheads and, to the extent that they are subject to regulation by the Division of Geologic Energy Management, attendant facilities, and other appurtenances.

~~(66)~~(75) “Useful thermal output” means the thermal energy made available in a cogeneration system for use in any industrial or commercial process, heating or cooling application, or delivered to other end users, i.e., total thermal energy made available for processes and applications other than electrical generation.

~~(67)~~(76) “Utility distribution company” or “UDC” means an electric utility, or a business unit of an electric utility, that distributes electricity to customers.

~~(68)~~(77) “Waste heat” means the thermal energy produced during electrical generation but not utilized for a useful purpose as defined in “useful thermal output,” i.e., the total heat content of the fuel used to generate electricity minus the energy content of the useful thermal output and electricity production.

(78) “Wind turbine” means an electric generator driven by wind power.

(79) “Wind turbine group” means a group of wind turbines within one wind power plant of the same manufacturer, model, rotor area, hub height, and capacity.

(80) “Withdrawals” means the volume of gas withdrawn from the underground gas storage project each day.

(81) “Working gas” means the volume of daily natural gas in an underground gas storage project available to be withdrawn, not including base gas.

(82) “Working gas capacity” means the total storage capacity of the underground gas storage project minus base gas.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25100-25141, 25216, 25216.5, 25300, 25301, 25302, 25302.5, 25303, 25305, 25305.1, 25310, 25324, 25330 et seq., 25401, 25401.2, 25403, 25403.5 and 25602, Public Resources Code; and Sections 9615 and 9620, Public Utilities Code.

§ 1303. General Rules for All Reports.

(a) Submittal of Reports. Each entity subject to reporting requirements identified in this Article shall also submit to the Commission all of the applicable data and reports listed in this Section.

(b) Forms and Instructions. The data and reports shall be submitted on forms, and in accordance with instructions for the forms, specified by the Executive Director, which may include without limitation a requirement that the data or reports be submitted in electronic format generally or in a specific electronic format. The Executive Director shall consult with interested companies before specifying forms and instructions adopted by the Energy Commission.

(c) Monthly Reports and Data. Unless provided otherwise, data or reports referred to as “monthly” shall be submitted for the previous month on the 15th day of each month.

(d) Quarterly Reports and Data. Unless provided otherwise, data or reports referred to as “quarterly” shall be submitted for the previous calendar quarter on the 15th day of February, May, August, and November. Quarterly data or reports may, as specified in this Article, be required to contain data on a month-by-month basis.

(e) Annual Reports and Data. Unless provided otherwise, data or reports referred to as “annual” or “annually” shall be submitted for the previous calendar year on the 15th day of February. Annual data or reports may, as specified in this Article, be required to contain data on a month-by-month or quarter-by-quarter basis. Publicly-owned utilities that operate on a fiscal year basis may choose to provide annual reports containing financial information and data submissions containing financial information within 75 days of the close of the fiscal year in lieu of providing those reports and data on the 15th day of February.

(f) Extension of Deadlines Specified in this Article. The company responsible (or delegated the responsibility under Section 1303(g)) for submitting data, a report, or an application may apply to the Executive Director for ~~and receive from the Executive Director~~ an extension of the deadlines established in this Article. ~~The Executive Director shall act on an application within five business days after it is received at the Commission. The Executive Director's decision may be appealed to the full Commission; the Commission shall act on an appeal within 14 days after the appeal is received; the Commission may summarily deny an appeal without a hearing. An extension, which shall be no more than 30 days,~~ shall be granted if:

(1) The company submits and the Commission receives, no later than 15 days before the data, report, or application is due an application that includes:

(A) the full legal name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the company submitting the application;

(B) the name, address of the principal place of business, telephone number, Fax number, and e-mail address of the person employed by the company submitting the application, who should be contacted with questions about the application;

(C) the name of the report and the Sections of these regulations applicable to the data, report, or application;

(D) the reasons why the company believes the data, report, or application cannot be, or may not be able to be, submitted on time;

(E) the measures the company is taking to complete the data, report, or application on time or as soon thereafter as possible;

(F) the date the company believes the data, report, or application will be submitted; and

(G) a declaration executed under penalty of perjury of the laws of the State of California stating:

1. the full legal name, address of the principal place of business, telephone number, Fax number, and e-mail address of both the person executing the declaration and the company submitting the application, and the title of the person;

2. that the person executing the declaration is authorized to do so and to submit the application on behalf of the company; and

3. that the matters contained in the application are, to the best of the person's knowledge and belief and based on diligent investigation, true, accurate, complete, and in compliance with these regulations.

(2) the Executive Director finds that there is good cause for an extension and that the data, report, or application is likely to be submitted by the extended due date.

(g) Any company designated in this Article as required to submit data or a report may delegate to another company the submittal of the data or report if the delegatee agrees, but in any event the company designated in this Article shall be responsible for the timely, accurate, and complete submittal of the data or report and an authorized employee thereof shall execute the declaration required by Section 1303(l)(8).

(h) Previously-submitted Data or Reports. If any of the data required to be included in a report is exactly the same as the data included in a previous report submitted by the same company, the current report need not contain that data if it refers to the previously-submitted data in sufficient specificity to allow the data to be found and retrieved easily.

(i) Submittal of Alternative Data, Reports, or Format.

(1) The company responsible (or delegated the responsibility under Section 1303(g)) for submitting data or a report under this Article may submit in lieu of that report or data, another filing made with a public agency and publicly available that contains the same information required by the Commission regulation ("alternative filing") and an attestation made under penalty of perjury that includes: apply for and receive from the Executive Director authorization to submit, in lieu of the required data or report, another collection of data assembled and prepared by the company for a purpose other than compliance with this Article, or to submit data not in accordance with the forms and instructions specified under Section 1303(b). The Executive Director shall act on an

~~application within 20 days after it is received by the Commission. If the application is granted, then the company may submit updated alternative data for each subsequent report without the need for a subsequent application. The Executive Director's decision may be appealed to the full Commission; the Commission shall act on an appeal within 14 days after the appeal is received; the Commission may summarily deny an appeal without a hearing. The Executive Director may revoke authorization at any time for any reason. An application shall be granted if:~~

~~(1) The company submits and the Commission receives, no later than 30 days before the data or report is due, an application that includes:~~

~~(A) the full legal name, address of the principal place of business, telephone number, fax number, e-mail address, and website address of the company submitting the alternative filing application and of the entity to which the alternative filing collection of data was or will be submitted;~~

~~(B) the name, address of the principal place of business, telephone number, fax number, and e-mail address of the person employed by the company submitting the alternative filing data or report, who should be contacted with questions about the alternative filing application;~~

~~(C) the name of the report and the Sections of these regulations applicable to the alternative filing data or report;~~

~~(D) the name, date, and if applicable publication number of the alternative collection of data;~~

~~(DE) the reasons why the company believes that the alternative filing collection of data meets each applicable requirement of this Section and all other sections in this Article; and~~

~~(F) a declaration executed under penalty of perjury of the laws of the State of California stating:~~

~~1. the full legal name, address of the principal place of business, telephone number, fax number, and e-mail address of both the person executing the declaration and the company submitting the application, and the title of the person;~~

~~(E)2. a statement that the person executing the attestation declaration is authorized to do so and to submit the application on behalf of the company and~~

~~3. that the matters contained in the alternative filing and attestation application are, to the best of the person's knowledge and belief and~~

based on diligent investigation, true, accurate, complete, and in compliance with these regulations.

(2) If the Executive Director determines that the alternative filing does not contain the information required by the Commission regulation identified in Section 1303(i)(1), he or she may notify the company responsible for submitting data or a report under this Article, and the company shall provide the information required by the regulation within 45 days. The Executive Director shall consider the factors in Public Resources Code section 25320(a)(2)(B)-(C) when deciding whether to issue such a notification. ~~the Executive Director finds that compliance with these regulations and the needs of the Commission, other entities, and the public will not be harmed by granting of the application.~~

(j) Parents, Subsidiaries, and Affiliates. Except to the extent allowed by Section 1303(g), if a company required to submit data or a report is a parent, subsidiary, or affiliate of another company, the former company shall submit the data or report only for its own activities and not for the activities of the parent, subsidiary, or affiliate.

(k) Multiple Reports. A company may submit under one cover data or reports required by more than one section in this Article, if the data or report required by each section is identified in a table of contents and in the document and the data or report is clearly separated from data or reports required by other sections.

(l) Data Required in All Reports. Each report required by this Article shall include, in addition to the data specified in those sections, the following:

(1) the full legal name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the company submitting the report;

(2) the name, address of the principal place of business, telephone number, Fax number, and e-mail address of the person employed by the company submitting the report, who should be contacted with questions about the report;

(3) the full legal name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the company responsible for submitting the data or report;

(4) the date on which the report is being submitted;

(5) the time period or periods that the report covers;

(6) an indication of the status of the company responsible for submitting the report: i.e., power plant owner, LSE, UDC, control area operator, gas utility, gas retailer, gas processor, or interstate pipeline company;

(7) the sections of this Article applicable to the report; and

(8) a declaration that is executed under penalty of perjury of the laws of the State of California, and that is executed by an authorized employee of the company responsible for submitting the report, stating:

(A) the name, address of the principal place of business, telephone number, Fax number, and e-mail address of both the person executing the declaration and the company responsible for submitting the report, and the title of the person;

(B) that the person executing the declaration is authorized to do so and submit the report on behalf of the company responsible for submitting the report; and

(C) that the matters contained in the report are, to the best of the person's knowledge and belief and based on diligent investigation, true, accurate, complete, and in compliance with these regulations.

~~(m) Accuracy of Customer Classification Coding.~~

~~(1) Electricity and natural gas sales data reported pursuant to Sections 1306(a) and 1308(c) shall be accurately classified by Customer Classification code. Data shall be deemed accurately classified if, based on a random sample comparing (I) the Customer Classification code used for classification under Section 1306(a) or 1308(c) used for general customer record keeping to (II) an independently derived Customer Classification code known to be accurate for each non-residential establishment in the sample, 99% of customer accounts, weighted by energy, are correctly classified at the major customer sector level and 90% of customer accounts, weighted by energy, are correctly classified at the 4-digit Customer Classification code level.~~

~~(2) If the Executive Director believes that sales data provided by a UDC or gas utility is not accurately classified by Customer Classification code, he or she may require the appropriate UDC or gas utility to conduct a study of the UDC or gas utility's records to verify the accuracy of the Customer Classification coding of the data submitted to the Commission. The study shall be provided to the Commission within three months of the date of the Executive Director's notification of the requirement for a study. If the study reveals that the accuracy requirements contained in subdivision (m)(1) of this section are not being met, the UDC or gas utility shall submit a plan to correct the Customer Classification Coding to allow it to meet those accuracy requirements. Such plan shall be submitted within six months of the date of the Executive Director's notification of the requirement for a study and shall contain the following:~~

~~(A) — an identification of the measures needed to ensure that the accuracy requirements contained in subdivision (m)(1) of this section are met; and~~

~~(B) — a commitment to implement the measures identified in subdivision (m)(2)(A) above no later than one year from the date of the Executive Director's notification of the requirement for a study.~~

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25401, 25401.2, 25403, 25403.5, 25602 and 25604, Public Resources Code; and Sections 9615 and 9620, Public Utilities Code.

§ 1304. Power Plant Reports.

(a) Reports by Power Plant Owners. Each power plant owner shall submit all of the data and reports required by this subsection for each power plant that has a nameplate capacity of one megawatt or more, and that it owns or owned during the reporting period. ~~For the purposes of this subsection, all of the wind turbines in an power plant shall be collectively considered as one single electric generator.~~

(1) Each Report: Power Plant Identification. The following data shall be submitted for each power plant with every quarterly, or annual report:

(A) name of the power plant;

(B) identification number of the power plant assigned by the Commission;

(C) facility code of the power plant assigned by the EIA;

(D) the name of the control area operator;

(E) the electric generator identification code assigned by the Western Renewable Energy Generation Information System, if applicable;

~~(F)~~ address where the power plant is physically located: latitude and longitude, street address, city, county, state and zip code;

~~(G)~~ if the power plant operator is not the power plant owner, the power plant operator's full legal name, phone number, and address of principal place of business including the street address, city, state, and zip code;

~~(H)~~ nameplate capacity of the power plant; For wind power plants, provide hub height, rotor area, rated speed, number of turbines, and the

capacity for those wind turbines that were operable in the reporting period. Wind power plant capacity does not include capacity of those wind turbines that were permanently out of service, on indefinite shutdown, retired, or decommissioned;

(G) if the power plant supplies electricity directly to an entity on site, the Customer Classification code of the entity;

(H) if the power plant was sold during the reporting period;

1. the settlement date of the power plant sale;
2. the buyer's and the seller's full legal names and addresses including street address, city, state, and zip code; and
3. the name, address including street address, city state, and zip code, and telephone number of the contact persons for the buyer and seller; and

(I) for each electric generator in the power plant:

1. the identification number assigned by the power plant owner;
2. nameplate capacity of the electric generator, ~~and, if the prime mover is a wind turbine, the total number of turbines reflected in the nameplate capacity;~~ For wind turbines, provide the hub height, rotor area, rated speed, number of turbines, and the combined capacity for each wind turbine group in the power plant, including only those wind turbines that were operable in the reporting period. Wind turbine group capacity does not include capacity of those wind turbines that were permanently out of service, on indefinite shutdown, retired, or decommissioned;
3. any capacity changes for electric generators and wind turbine groups. Calculated pursuant to subdivision (a)(1)(H) during the previous year and the date of any such changes;
4. the date electricity was first generated by the electric generator;
5. the date the plant owner began selling electricity to a company;
6. the operating status of the electric generator during the reporting period, such as operating, standby, cold standby, on test, maintenance, out of service, indefinite shutdown, or retired;

57. if the electric generator was retired during the reporting period, the retirement date;

68. an identification of the prime mover that drives the electric generator; ~~and~~

79. an indication whether the prime mover is part of a combined-cycle unit;

10. the manufacturer of the generator; and

11. the model number of the generator.

(2) Generation and Fuel Use Data.

(A) For power plants with nameplate capacity of one megawatt or more and less than ten megawatts, the following data shall be submitted annually:

1. gross generation of each electric generator, or wind turbine group, in megawatt hours;
2. net generation of each electric generator, or wind turbine group, in megawatt hours;
3. fuel use, by fuel type, of each electric generator;
4. fuel use, by fuel type, for useful thermal output and electricity generation of each cogenerator;
5. electricity in megawatt hours, consumed on site by the power plant owner, other than for plant use, classified by Customer Classification Code;
6. sales for resale, in megawatt hours;
7. for cogenerators providing useful thermal output to commercial or industrial end-users, sales of electricity to those end users, classified by Customer Classification Code, in megawatt hours, excluding sales to the wholesale market or LSEs;
8. for cogenerators, useful thermal output provided by each cogenerator to each recipient, in million British thermal units, classified by Customer Classification Code; ~~and~~

9. for cogenerators, waste heat of each electric generator, in million British thermal units-

(B) For power plants with nameplate capacity of ten megawatts or more and less than fifty megawatts, the following data shall be submitted quarterly:

1. monthly gross generation of each electric generator, or wind turbine group, in megawatt hours;
2. monthly net generation of each electric generator, or wind turbine group, in megawatt hours;
3. monthly fuel use, by fuel type, of each electric generator;
4. monthly fuel use, by fuel type, for useful thermal output and electricity generation of each cogenerator;
5. monthly electricity in megawatt hours, consumed on site by the power plant owner, other than for plant use, classified by Customer Classification Code;
6. monthly sales for resale, in megawatt hours;
7. for cogenerators providing useful thermal output to commercial or industrial end-users, monthly sales of electricity to those end-users, classified by Customer Classification Code, in megawatt hours, excluding sales to the wholesale market or LSEs;
8. for cogenerators, monthly useful thermal output provided by each cogenerator to each recipient, in million British thermal units, classified by Customer Classification Code; and
9. for cogenerators, monthly waste heat of each electric generator, in million British thermal units.

(C) For power plants with nameplate capacity of fifty megawatts or more, the following data shall be submitted quarterly:

1. monthly gross generation of each electric generator, or wind turbine group, in megawatt hours;
2. monthly net generation of each electric generator, or wind turbine group, in megawatt hours;

3. monthly fuel use, by fuel type, of each electric generator;
4. monthly fuel use, by fuel type, for useful thermal output and electricity generation of each cogenerator;
5. monthly electricity in megawatt hours, consumed on site by the power plant owner, other than for plant use, classified by Customer Classification Code;
6. monthly sales for resale, in megawatt hours;
7. for cogenerators providing useful thermal output to commercial or industrial end-users, monthly sales of electricity to those end-users, classified by Customer Classification Code, in megawatt hours, excluding sales to the wholesale market or LSEs;
8. for cogenerators, monthly useful thermal output provided by each cogenerator to each recipient, in million British thermal units, classified by Customer Classification Code;
9. for cogenerators, monthly waste heat of each electric generator, in million British thermal units; and
10. monthly fuel cost by fuel type of each electric generator, except for the cost of fuel provided to the generator through a tolling agreement. If fuel is provided to the generator through a tolling agreement, indicate the portion of the fuel use identified in subdivision (a)(2)(C)(4) that is provided to the generator through the tolling agreement.

(3) The following environmental information related to power plant operations shall be reported annually:

(A) Environmental information related to water supply and water / wastewater discharge.

1. Water Supplies: Owners of natural gas and solar power plants with a generating nameplate capacity of 20–50 megawatts and greater and of all geothermal power plants shall submit the following information for the previous calendar year ~~copies of reports or filings required by regulations, permit, or contract conditions that identify any of the following information for the previous calendar year:~~

~~a. a description of the type of cooling technology being used for each unit within a power plant;~~

~~a.b.~~ ~~the name of the~~ If a water supplier(s) is under contract to provide water to the power plant, if applicable, identify the name of the supplier(s), and whether the supply is potable, recycled, degraded, or raw untreated water; ~~or the name of the water source as assigned by the U.S. Geological Survey on its 7.5-minute map series.~~

b. If there is no water supply under contract, identify whether the water source is from groundwater or the diversion of surface water. ~~Or, if well~~ If ground water is used, provide the well identification number(s) and location(s) as specified in the California Department of Water Resources, Water Facts, Issue No. 7, "Numbering Water Wells in California," June 2000. If the power plant owner diverts surface water, provide the water rights permit number(s) issued by the State Water Resources Control Board. Where a water rights permit is not required, provide a description of the diversion location(s):

c. Provide a description of any other water supply not identified above;

~~e.~~ ~~the daily average and daily maximum water use volumes in gallons for all power plant purposes;~~

d. Specify the monthly and annual amounts of water used for all power plant purposes in acre-feet; and the types of purposes for which water is generally used.

~~e.~~ ~~the metering technology used to measure and track water use at the power plant and the frequency at which meter readings are recorded (hourly, daily, weekly, monthly or annually).~~

2. Wastewater Discharges: Owners of power plants with a nameplate generating capacity of 20 50 megawatts and greater and of all geothermal power plants shall submit the following information: copies of reports or filings required by regulations, permit, or contract conditions that identify any of the following information for the previous calendar year:

~~a description of the physical and chemical characteristics of the source water or the wastewater discharge, including any information prepared with the approved test methodology and detection limits specified by the U.S. Environmental~~

~~Protection Agency in 40 CFR s136.3 for analyzing the constituents in wastewater.~~

~~b. the wastewater disposal system(s) used at the power plant for discharges related to power plant cooling and operations, the manufacturer(s), and the year of installation;~~

~~c. the measures taken, and the devices installed on the wastewater disposal system's outfall, to control pollution discharges to municipal systems, receiving waters or land;~~

~~ea. Provide the name of the utility or organization receiving the wastewater discharge, if applicable, or the name of the receiving water as ~~assigned~~ identified by the U.S. Geological Survey on its 7.5-minute map series;~~

~~eb. Specify the monthly and annual ~~totals~~ amounts of wastewater that are ~~created from~~ discharged as a result of power plant operations in ~~acre-feet~~ gallons; and~~

~~c. Specify the destination of all wastewater discharged from the power plant, whether onsite or offsite.~~

~~f. the daily average and daily maximum waste water discharge volumes in gallons.~~

~~(B) Environmental information related to biological resources: Owners of power plants with a generating capacity of one megawatt or greater shall submit copies of reports or filings required by regulations, permit, or contract conditions that identify any of the following information for the previous calendar year:~~

~~1. documentation of the "take" of terrestrial, avian and aquatic wildlife subject to legal protection under California Fish & G. Code s 2050 et seq., 16 U.S.C.A. s 1371 et seq., 16 U.S.C.A. s 1531 et seq., and 16 U.S.C. A. s 668 et seq. that occurred as a result of operation of the power plant.~~

~~2. documentation and identification of the biomass (by weight) and species composition of fishes and marine mammals killed by impingement on the intake screens of each once-through cooling system;~~

~~(C) Copies of any written notification provided by any state or federal regulatory agency to the owner of a power plant with a generating capacity of one megawatt or more that operation of the power plant has created a~~

~~violation of an applicable statute, regulation, or permit condition related to environmental quality or public health during the previous calendar year, or that there is an ongoing investigation regarding a potential violation at the time that the data identified in this subdivision is required to be filed with the commission.~~

(b) Reports by UDCs. Each UDC shall report the following data for each power plant and energy storage system located in the UDC's service area and for which data is collected. The report shall be submitted on January 31 and July 31 each year, but if information for an existing plant has already been provided pursuant to this section, and is unchanged, the filing need only identify the date on which the information was previously provided.

(1) power plants with a generating capacity of 100 kilowatts or more:

(A) facility name; and

(B) facility code assigned by the EIA.

(2) all power plants:

(A) nameplate capacity in kilowatts;

(B) voltage at which the power plant or energy storage system is interconnected with the UDC system or transmission grid;

(C) operating mode (e.g., independent power producer, cogeneration, dispatched as part of a demand side management program, parallel operation with utility deliveries in order to achieve premium power reliability, customer-dispatched to reduce delivered energy charges, peak shaving, emergency/backup/interruptible);

(D) technology type (e.g., combined cycle, combustion turbine, microturbine, internal combustion engine, photovoltaic, wind turbine, fuel cell); and

(E) fuel type (e.g., natural gas, biogas, diesel, solar, wind.).

(3) all power plants and energy storage systems:

(A) address where the power plant or energy storage system is physically located, including the street address, city, state, and zip code;

(B) power plant or energy storage system owner's full legal name and, if a non-residential customer, address of principal place of business, including the street address, city, state, and zip code;

(C) longitude and latitude, if available;

(D) interconnection agreement type (e.g., interconnection agreements required by interconnection standards adopted in California Public Utilities Commission D.00-12-037 and in modifications to that decision, net energy metering agreement);

(E) date of interconnection approval;

(F) if the power plant or energy storage system is no longer interconnected, the date the power plant or energy storage system is no longer interconnected to the utility distribution system; ~~and~~

(G) rate schedule; and

(GH) if the power plant or energy storage system is connected to that part of the customer's electrical system not owned by UDC, provide the those UDCs who also report pursuant to Section 1353 shall report the following;

1. service account number;
2. premise identification number; and
3. meter identification number; ~~and~~
4. ~~rate schedule.~~

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25305, 25305.1, 25310, 25401, 25401.2, 25403, 25403.5, 25601, and 25602, Public Resources Code.

§ 1306. LSE and UDC Reports, and Customer Classification Reports.

(a) Quarterly UDC Reports.

(1) Each UDC shall report the number of customers, revenue expressed in dollars, volume expressed in kWh for all electricity sold or delivered by the UDC during each of the previous three months as follows:

(A) sales to bundled customers classified by county, retail rate class, and customer classification code; and

(B) deliveries to unbundled customers classified by county, retail rate class, ~~and customer classification code~~, and for unbundled customers, whether the LSE for whom distribution services are being provided is an ESP or a CCA.

(2) for purposes of complying with subdivision (a)(1) of Section 1306, the following requirements shall apply:

(A) revenue for bundled customers is the aggregation of generation and non-generation costs, and excludes city or local taxes;

(B) revenue for unbundled customers is the aggregation of all non-generation costs, and excludes city or local taxes; and

(C) retail rate class is the general level of rate class used by UDC. Any rate schedule excluded from retail rate classes shall be reported as an aggregated amount classified by county and customer classification code.

(3) each UDC shall provide an electronic file with a list of the retail rate classes provided in subdivision (a)(1) of this section, including a description of each retail rate class.

(4) Quarterly UDC Reports. Each UDC that provides distribution services for other LSEs shall report quarterly to the Commission the following information:

(A) name of each LSE;

(B) business address of each LSE; and

(C) sales of electricity, expressed in kilowatt hours, by each LSE in the UDC's service area for each month of the preceding quarter.

(5) After February 15, ~~2020~~2022, the requirements of subdivisions 1 through 4 of subdivision (a) of this Section shall not apply to UDCs reporting under Section 1353 (b).

(b) Quarterly LSE Reports. LSEs not reporting under 1306(a), shall report the following:

(1) number of customers during each of the previous three months, classified by UDC, county, and major customer sector or customer group;

(2) revenue, defined as the aggregation of all costs plus profits, received by an LSE from its end-use customers in providing generation services, and expressed in dollars during each of the previous three months, classified by UDC, county, and major customer sector or customer group; and

(3) volume expressed in kWh, for all electricity sold by the LSE during each of the previous three months, classified by UDC, county, and major customer sector or customer group.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25401, 25401.2, 25403, 25403.5 and 25602, Public Resources Code.

§ 1307. Gas Utility and Gas Retailer Reports and Customer Classification Reports.

(a) Quarterly Gas Retailer Reports. Each gas retailer that does not report pursuant to 1308(c), shall report quarterly the following:

(1) Natural Gas Sales.

(A) monthly natural gas sales expressed in millions of therms;

(B) monthly number of customers; and

(C) monthly revenue expressed in dollars, including commodity charges, adjustments, and any other charges billed for gas sold.

(2) The information provided in subdivisions (a)(1)(A), (B), and (C) above shall be classified by county, month, and major customer sector or customer group.

(b) Gas Retailer Information to the Commission. For each gas retailer that sells natural gas to customers in the gas utility's gas service area, the gas utility shall report quarterly to the Commission:

(1) name of the gas retailer;

(2) business address of the gas retailer; and

(3) sales of natural gas, expressed in thousand cubic feet or therms, to customers in the gas utility's service area;

(c) After 2022, the requirements of subdivisions (1) – (3) of subdivision (b) of this section shall not apply to gas utilities reporting under subdivision (c) of Section 1353.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25401, 25401.2, 25403, 25403.5, 25602 and 25604, Public Resources Code.

§ 1308. Quarterly Gas Utility and Electric Generator Tolling Agreement Reports.

(a) Monthly natural gas receipts. Each gas utility shall report quarterly all natural gas received by the gas utility for each of the previous three months, expressed in thousand cubic feet or therms; and the average heat content of the natural gas received, expressed in Btu per cubic feet; each classified by all of the following:

(1) How received: purchased, transported for others, or withdrawn from storage;

(2) Where and from whom the natural gas was received, according to the following entities and locations:

(A) Pipeline locations at the California Border

1. El Paso Natural Gas at Topock
2. El Paso Natural Gas at Blythe
3. Transwestern Pipeline at Needles
4. PG&E Gas Transmission - Northwest at Malin
5. Ruby Pipeline at Malin
6. Other California Border Receipt Points (Designate)

(B) Instate locations

1. Questar Pipeline at Essex
2. Kern River Gas Transmission /Mojave Pipeline at Wheeler Ridge
3. Kern River Gas Transmission/Mojave Pipeline at Hector Road
4. PG&E at Kern River Station
5. California Production at Wheeler Ridge
6. Kern River Gas Transmission at Daggett
7. Rainbow compression station
8. Dana Point compression station
9. Other interconnect points

(C) California Production

1. California onshore production received into the gas utility system
2. California offshore lands production received into the gas utility system
3. California outer continental shelf production received into the gas utility system.

(b) Monthly Natural Gas Sendout. Each gas utility shall report all natural gas delivered by the gas utility for each of the previous three months, expressed in thousand cubic feet or therms; and the average heat content of the natural gas delivered, expressed in Btu per cubic feet; each classified by all of the following:

(1) Core Customer Deliveries.

(A) Each Major Customer Sector (designate)

(B) Natural gas used to generate electricity when waste heat is used for industrial or commercial processes.

(C) Natural gas used to generate electricity when waste heat is used for industrial or commercial processes other than enhanced oil recovery.

(D) Natural gas used to generate electricity when waste heat is not used for industrial or commercial processes.

(E) Other (designate by Customer Classification code)

(2) Noncore Customer Deliveries

(A) Each Major Customer Sector (designate)

(B) Natural gas used to generate electricity when waste heat is used for industrial or commercial processes.

(C) Natural gas used to generate electricity when waste heat is used for industrial or commercial processes other than enhanced oil recovery.

(D) Natural gas used to generate electricity when waste heat is not used for industrial or commercial processes.

(E) Other (designate by Customer Classification code)

(3) Delivery to other utilities through the following delivery points:

- (A) Kern River Station
- (B) Wheeler Ridge
- (C) Rainbow compression station
- (D) Dana Point compression station
- (E) Other points (designate)

(4) Delivery to Interstate Pipelines through the following delivery points:

- (A) Freemont Peak
- (B) Wheeler Ridge
- (C) Hector Road
- (D) Daggett
- (E) Other points (Designate)

(5) Delivery to International Pipelines

- (A) Otay Mesa into Mexico
- (B) Calexico into Mexico
- (C) Other points (designate)

(6) For Storage Injection

- (A) Gas utility-owned storage
- (B) Non-gas utility-owned storage

(7) Losses and Unaccounted for

(c) Monthly Natural Gas Delivery.

(1) Each gas utility shall report the number of customers, delivery revenue expressed in dollars, volume expressed in therms, and natural gas average heat content expressed in Btu per cubic feet, for all natural gas sold or transported by the gas utility during each of the previous three months as follows:

(A) sales to core customers, excluding cogeneration customers, by county and NAICS customer classification code;

(B) sales to core cogeneration customers by county and NAICS customer classification code;

(C) sales to noncore customers, excluding cogeneration customers, by county and NAICS customer classification code;

(D) sales to noncore cogeneration customers by county and NAICS customer classification code;

(E) transport to core customers, excluding cogeneration, by county and NAICS customer classification code;

(F) transport to core customers for cogeneration, by county and NAICS customer classification code;

(G) transport to noncore customers, excluding cogeneration, by county and NAICS customer classification code, and

(H) transport to noncore customers for cogeneration by county and NAICS customer classification code.

(2) For purposes of subdivision (c)(1) of Section 1308, revenue for both sales and transport shall be expressed in dollars, in aggregate, and shall include commodity costs and all non-commodity components of the utility's rates, including without limitation, costs of receiving, transporting, distributing, injecting to storage, recovering from storage, administration, regulatory, public purpose programs, energy market restructuring transition costs, and balancing accounts.

(3) After February 15, ~~2020~~2022, the requirements of subdivisions 1 and 2 of subdivision (c) of this Section shall not apply to gas utilities reporting under Section 1353 (c).

(d) Natural Gas Tolling Agreements. Each LSE that has entered into a tolling agreement to provide natural gas to the owner or operator of an electric generator with a capacity

of 50 MW or more for the operation of that generator shall report the following for each of the previous three months and for each electric generator:

- (1) amount of natural gas delivered expressed in therms;
- (2) the price of the natural gas delivered pursuant to subdivision (d)(1) of this section; and
- (3) the location of the delivery identified in subdivision (d)(1) of this section.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code.
Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25401, 25401.2, 25403, 25403.5 and 25602, Public Resources Code.

§ 1311. Energy Efficiency Program Data Collection from Local Publicly-Owned Utilities.

~~Beginning in 2008, and every year thereafter, each local publicly-owned utility shall report no later than March 15 to the Commission its annual investments in energy efficiency and demand reduction programs for its previous fiscal year. The report shall include at least:~~

~~(a) — for electric energy efficiency programs:~~

~~(1) — a description of each program by category (residential, nonresidential, new construction, cross-customer, and other);~~

~~(2) — expenditures by program category, identified as administrative costs, delivery costs, incentive and installation costs, and evaluation, measurement, and verification costs;~~

~~(3) — expected and actual annual energy and peak demand savings by program category; and~~

~~(4) — an explanation of how these energy efficiency programs were determined to be cost-effective.~~

~~(b) — for demand reduction programs:~~

~~(1) — a description of each program;~~

~~(2) — expenditures associated with each program;~~

~~(3) — expected demand reduction, and any actual reduction from the programs, and~~

~~(4) — an explanation of how these demand reduction programs were determined to be cost-effective.~~

Each publicly owned utility shall provide the report required by Public Utilities Code section 9505 in accordance with the requirements of that section.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5 and 25300-25303, Public Resources Code; and Section 9615, Public Utilities Code.

§ 1312. Energy Efficiency Program Data Collection from Non-Utility PACE Programs

(a) Beginning in 2022, and every year thereafter, each PACE program administrator shall report no later than September 15 to the Commission its annual investments in energy efficiency programs for the previous fiscal year. The report shall include:

- (1) Program name: title or name of the PACE program (Example: mPower);
- (2) Sector Indicator: The sector(s) that the program targets (“R” for residential and “NR” for non-residential);
- (3) Project ID: a unique ID for each project implemented under the program;
- (4) Assessor’s parcel number (APN): The county name and assessor’s parcel number (APN) of the site at which the project was implemented;
- (5) Project Address: street address of the PACE project;
- (6) Project Start Date: the date the project implementation was started in the mm/dd/yyyy format;
- (7) Project Completion Date: the date the project implementation was completed in the mm/dd/yyyy format;
- (8) Measure Types: the efficiency measure implemented, including but not limited to a) Lighting, b) Heating, Ventilation, and Air Conditioning (HVAC), c) Domestic Hot water, d) Enclosure (walls, windows, roof), and e) Self Generation including roof top PV; and
- (9) Renewable Energy (Self-Generation) Indicator: indicate whether the project included investments in self-generation projects.

(b) For purposes of this section, PACE program has the same definition as in California Financial Code section 22016.

(c) For purposes of this section, PACE program administrator includes any person identified under California Financial Code section 22018; any person administering a commercial PACE program within California on behalf of, and with the written consent of, a public agency; any person meeting both conditions of California Financial Code section 22018, subd. (b); and any public agency that administers its own PACE program.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code. Reference: Sections 25301, 25302, 25305.2, 25305, 25320, 25700, and 25704, Public Resources Code; Sections 22016 and 22018, Financial Code.

§ 1314 Natural Gas System Analysis

(a) Each gas utility with annual natural gas deliveries of 200 million therms or more in both of the two calendar years preceding the required data filing shall, on August 1, 2018 and on March 15 every year thereafter, via secure electronic method, provide files that are used by the gas utility to conduct gas hydraulic modeling for its natural gas system during the previous calendar year, including the scenarios (1) - (4) below:

- (1) average summer day (June through September);
- (2) average winter day (November through March);
- (3) 1-in-10 peak summer and winter day; and
- (4) any additional summer and winter day representing demand higher than that identified in subdivisions (1)-(3) above.

(b) The files provided need not identify natural gas infrastructure dedicated to retail customers other than power plants.

(c) **Current identification information and current project characteristics for underground gas storage projects.** Owners of underground gas storage projects are required to submit the following project identification information and project characteristic information to the California Energy Commission on a quarterly basis. Owners of underground gas storage projects are to express working gas capacity and total storage capacity in thousand cubic feet (Mcf) and maximum deliverability in Mcf/day.

- (1) Storage Field Name
- (2) Reservoir Name
- (3) Location County
- (4) Type of Facility – Aquifer, Depleted Field, or Salt Formation
- (5) Field Status – either Active or Inactive
- (6) Company Name
- (7) Contact First and Last Name
- (8) Phone Number

- (9) Company Address
- (10) Company Email Address
- (11) Working Gas Capacity (Mcf)
- (12) Total Storage Field Capacity (Mcf)
- (13) Maximum Deliverability (Mcf/day)

(d) Daily underground gas storage project information. Owners of underground gas storage projects are required to submit information on base gas, working gas, total gas in storage, withdrawal, and injection for each calendar day. Volumes shall be expressed in Mcf. If the volumes submitted require true-up, provide notation for any true-ups required. Owners of underground gas storage projects are required to submit the following information for each calendar day on a quarterly basis:

- (1) Report Day (Month, Day, and Year)
- (2) Base Gas (Mcf)
- (3) Working Gas (Mcf)
- (4) Total Gas in Storage, which is the sum of base and working gas
- (5) Injections (Mcf)
- (6) Withdrawals (Mcf)

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code.
Reference: Sections 25005.5, 25216, 25216.5, 25300-25303, 25303.5, 25305, 25400, 25401, 25401.2, 25403 and 25602, Public Resources Code.

Article 2. Forecast and Assessment of Energy Loads and Resources

§ 1342. General Requirements for Preparation of Planning Reports and Supporting Survey and Load Metering Data Collection Requirements.

(a) Reports Must Be Submitted. Each entity subject to reporting requirements identified in this Article shall also submit to the Commission the applicable data set forth in this Section.

(b) Forms and Instructions. The data shall be submitted according to instructions for forms, specified by the Executive Director, consistent with and contained in Sections 1342, 1343 and 1344. The instructions may include without limitation a requirement that the data be submitted in electronic format generally or in a specific electronic format.

(c) Extensions of deadlines specified in this Article. The person responsible (or delegated the responsibility in this Article) for submitting a report may apply to the Executive Director for ~~and receive from the Executive Director~~ an extension of the deadlines established in this Article. ~~The Executive Director shall act on an application within five business days after it is received at the Commission. The Executive Director's decision may be appealed to the full Commission; the Commission shall act on an appeal~~

~~within 14 days after the appeal is received; the Commission may summarily deny an appeal without a hearing. An extension shall be granted for no more than 30 days, if:~~

(1) The company submits and the Executive Director receives, no later than 15 days before the report is due, an application that includes:

(A) the full legal name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the company submitting the application for an extension;

(B) the name, address of the principal place of business, telephone number, Fax number, and e-mail address of the person employed by the company submitting the report, who should be contacted with questions about the application for an extension;

(C) the name of the report and the sections of these regulations applicable to the report;

(D) the reasons why the report cannot be, or may not be able to be, submitted on time, and the date the report will be submitted;

(E) the measures the company is taking to complete the report on time or as soon thereafter as possible; and

(F) a declaration executed under penalty of perjury under the laws of the State of California stating:

1. the full legal name, address of the principal place of business, telephone number, Fax number, and e-mail address of both the person executing the declaration and the company submitting the application;

2. that the person executing the declaration is authorized to do so and to submit the application on behalf of the company; and

3. that the matters contained in the application are, to the best of the person's knowledge and belief and based on diligent investigation, true, accurate, complete, and in compliance with these regulations.

(2) The Executive Director finds that good cause exists for an extension and that the report is likely to be submitted by the extended due date.

(d) Date of "Submittal." A report under this Article is "submitted," for purposes of these regulations, when it is received at the Commission and it is complete, accurate, and in compliance with the applicable requirements and forms and instructions specified in this Article.

(e) Delegation of Reporting Duty. The company designated in subsection (a) as required to submit a report may delegate to another company the submittal of the report if the delegatee agrees, but in any event the company designated in subsection (a) shall be responsible for the timely, accurate, and complete submittal of the report.

(f) Submittal of Previous Report. If the data included in a report is exactly the same as the data contained in a previously submitted report from the same company, the current report need only reference the previously submitted data in sufficient detail to allow its easy retrieval.

(g) Submittal of Alternative Data, Reports, or Format.

(1) The company responsible (or delegated the responsibility in this Article) for submitting data or a report may submit in lieu of that report or data, another filing made with a public agency and publicly available that contains the same information or data required by the Commission regulations ("alternative filing") and an attestation made under penalty of perjury that includes apply for and receive from the Executive Director authorization to submit, in lieu of the required data or report: another collection of data assembled and prepared for a purpose other than compliance with this Article, or submit data not in accordance with the forms and instructions specified in this Article.

~~(1) — The Executive Director shall act on an application for the submission of alternative data within 20 days after it is received by the Commission.~~

~~(2) — If the application is granted for the submission of alternative data, then the company may submit the alternative data for each report required in this Article without the need for a subsequent application, if the alternative data contains all of the data required by this Article as applicable and is current for the time period or periods specified in those sections.~~

~~(3) — The Executive Director's decision may be appealed to the full Commission; the Commission shall act on an appeal within 14 days after the appeal is received; the Commission may summarily deny an appeal without a hearing. The Executive Director may revoke authorization to submit alternative data at any time for any reason.~~

~~(4) — An application for the submission of alternate data shall be granted if:~~

~~(A) — The company submits and the Executive Director receives, no later than 30 days before the report is due, an application that includes:~~

~~(A)4. the full legal name, address of the principal place of business, telephone number, fax number, e-mail address, and website address of the company submitting the application to provide alternative filing data;~~

~~(B)2. the name, address of the principal place of business, telephone number, fax number, and e-mail address of a contact person who can answer questions about the application for submission of alternative filing data;~~

~~(C)3. the name of the report and the sections of these regulations applicable to the report;~~

~~(D)4. the reasons why the alternative filing collection of data meets each applicable requirement of this Article; and~~

~~5. a declaration executed under penalty of perjury under the laws of the State of California stating:~~

~~a. the full legal name, address of the principal place of business, telephone number, fax number, and e-mail address of both the person executing the declaration and the company submitting the application;~~

~~(E)b. a statement that the person executing the declaration attestation is authorized to submit the application on behalf of the company; and that the matters contained in the alternative filing and attestation application are, to the best of the person's knowledge and belief and based on diligent investigation, true, accurate, complete, and in compliance with these regulations.~~

~~(B) The Executive Director finds that good cause exists for granting the application to submit alternative data. That determination shall include a finding that compliance with these regulations and the needs of the Commission, other entities and the public will not be harmed by the granting of the application.~~

(2) If the Executive Director determines that the alternative filing does not contain the information required by the Commission regulation identified in Section 1342(g)(1), he or she may notify the company responsible for submitting data or a report under this Article, and the company shall provide the information required by the regulation within 45 days. The Executive Director shall consider the factors in Public Resources Code section 25320(a)(2)(B)-(C) when deciding whether to issue such a notification.

(h) Information Required in All Reports. Each report required by this Article, in addition to the data specified in the applicable section, must include the following:

(1) the name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the company submitting the report;

(2) the name, address of the principal place of business, telephone number, Fax number, and e-mail address of a contact person who can answer questions about the report;

(3) the name, address of the principal place of business, telephone number, Fax number, e-mail address, and website address of the person responsible for submitting the report;

(4) if the company submitting a report has divisions, departments, subsidiaries, or similar entities covered by the report, the report shall include the name of each entity and reflect the activities of each entity;

(5) the date the report is being submitted;

(6) the time period or periods that the report covers;

(7) the status of the company responsible for submitting the report: i.e., UDC, LSE, electric transmission system owner, electric generator owner, interstate pipeline company, or gas utility, (if the company operates more than one type of entity, the report shall state the type of entity the report is being submitted for and list the other entities that the company represents);

(8) a declaration executed under penalty of perjury of the laws of the State of California, and that is executed by an authorized employee of the company responsible for submitting the report, stating:

(A) the full legal name, address of the principal place of business, telephone number, Fax number, and e-mail address of both the person executing the declaration and the company responsible for submitting the report;

(B) that the person executing the declaration is authorized to submit the report on behalf of the company; and

(C) that the matters contained in the report are, to the best of the person's knowledge and belief and based on diligent investigation, true, accurate, complete, and in compliance with these regulations.

(i) Techniques Required; Replicable Results. All data submitted under this Article shall be:

- (1) gathered, organized, analyzed, and reported using standard, generally-accepted, and documented professional statistical, engineering, data-gathering, and other appropriate techniques;
- (2) presented in sufficient detail to allow replication of the results by the Commission staff and by other experts in the field; and
- (3) accompanied by the following:
 - (A) complete identifications of the sources of all data;
 - (B) complete descriptions of all assumptions used; and
 - (C) complete identifications and descriptions of all methodologies used.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300, 25301, 25302, 25302.5, 25303, 25324 and 25330 et seq., Public Resources Code; and Section 9620, Public Utilities Code.

§ 1353. Disaggregated Demand Data

(a) Disaggregated Demand Data Reporting. Each entity subject to requirements identified in this Section shall submit the required data via secure electronic method and shall adhere to the reporting requirements identified in Section 1342, with the exception of Section 1342 (h)(8)(C). Instead of the declaration specified by Section 1342 (h)(8)(C), disaggregated demand data reported under Section 1353 shall be accompanied by a declaration executed by an authorized employee stating that, to the best of the person's knowledge and belief, the data being submitted is complete and in compliance with these regulations.

(1) Quarterly Reports and Data. Unless provided otherwise, data or reports referred to as "quarterly" shall be submitted ~~for the previous calendar quarter on the 15th day of February, May, August, and November.~~ 90 days following the end of each calendar quarter (i.e., July 1, October 1, January 2, and April 1). UDCs and gas utilities subject to quarterly filing requirements may file the required data more frequently than quarterly, but in no event shall they file data sooner than 90 days following the day it was collected.

(2) No entity subject to reporting requirements pursuant to this Section shall be required to provide data or reports that it does not collect in the regular course of business; however, if the entity begins to collect some or all of the data not previously collected, it must submit the data in accordance with the requirements of this section.

(3) All interval meter data provided pursuant to this Section may be submitted at the interval collected.

(4) A detailed explanation of any methods used by utility to estimate missing, misread, or non-metered data shall be provided with each quarterly filing.

(b) Electricity Demand and Billing Data. Each UDC that has experienced a peak electricity demand of 1000 MW or more in both of the two calendar years preceding the required data filing date, shall on a quarterly basis provide:

(1) For each non-interval meter:

(A) the street address, city, and zip+4 code, county, and state, broken out by individual address component if possible, where service is provided;

(B) service account number (also known as service account identification);

(C) service point identification number, defined as the number or code a UDC uses to uniquely identify the point at which electricity delivered to a customer passes through the UDC meter;

(D) premise identification number(s);

~~(E) monthly charge in dollars (positive or negative);~~ For each billing period, total energy sales and transport charges, in dollars (positive or negative), incurred for UDC services provided during the billing period to the service account associated with the meter (if more than one meter is associated with a service account, the UDC shall provide the total for all meters). Provide an indication if the service account utilizes levelized payments or if the charges include an adjustment for net energy metering;

~~(F) start and end dates of billing cycle;~~

~~(G) number of days in billing cycle;~~

~~(H) customer participation in a UDC energy efficiency program;~~

~~(I) rate schedule;~~ including name, unique identifier, description, and participation in any of the following rate programs: net energy metering, electric vehicle, medical, and low income (including which specific low-income program);

~~(J) NAICS customer classification code;~~

~~(K) whether there is interconnected PV associated with the premise identification number;~~

~~(K) whether there are energy storage systems associated with the premise identification number;~~

~~(L) meter identification number;~~

(J) for meters associated with an account for an unbundled customer, the LSE name and type (including but not limited to energy service provider, community choice aggregator);

(KM) For each billing period, monthly volume of electricity sold or delivered in kWhs, and whether the volume is an estimate. If this volume is included in the reporting of a parent meter, provide the meter identification number for the parent meter. Indicate if this meter is connected only to an electrical generator. If the volume reported includes a credit for virtual net metering generation, provide the following: identifier for the electric generator providing the credit and the amount credited; and

(LN) any information identified in (b)(1)(A) - (MK) for 2018, 2019, and 2020 that has not already been provided for 2018.

(2) For each interval meter:

(A) all information from subdivision (b)(1)(A) through ~~(LJ)~~;

(B) in 2018, monthly volume of electricity sold or delivered in kWhs, including volumes for months in 2018 that have not already been provided all information identified in subdivision (b)(2)(C)(i)-(iii) for 2018, 2019, and 2020 that has not already been provided;

(C) beginning in 2019, the following information:

(i) startend of interval;

(ii) duration of interval; and

(iii) volume of electricity sold or delivered and returned over the interval in kWh and whether those volumes are estimates. If these volumes are included in the reporting of a parent meter, provide the meter identification number for the parent meter. Indicate if this meter is connected to an electrical generator but not to customer load. If the volume reported includes a credit for virtual net metering generation, provide the following: identifier for the electric generator providing the credit and the amount credited.; and

~~(iv) interval peak demand (kW);~~

- (3) For all remaining consumption which is not associated with a meter:
- (A) ~~A~~all information from subdivision (b)(1)(A) through (JK);
 - (B) ~~A~~an estimate of the monthly volume of electricity sold or delivered in kWh; and
 - (C) ~~An estimate of the monthly peak demand (kW, day, and hour); and~~
 - (DC) ~~A~~any information identified in (b)(3)(A)-(BG) for 2018, 2019, and 2020 that has not already been provided.

(c) Natural Gas Demand and Billing Data. Each gas utility with annual natural gas deliveries of 200 million therms or more in both of the two calendar years preceding the required data filing date, shall on a quarterly basis provide for each meter:

- (1) ~~S~~service address of account number, including the street address, city, ~~and~~ zip+4 code, county, and state, broken out by individual address component if possible, where service is provided;
- (2) ~~S~~service account number;
- (3) service point identification number;
- (24) ~~P~~premise identification number;
- (35) ~~M~~meter identification number;
- (46) for each billing period, monthly volume of natural gas sold or delivered in therms; and whether the volume is an estimate. If this volume is included in the reporting of a parent meter, provide the meter identification number for the parent meter;
- (7) for meters associated with an account for which the utility delivers gas to a customer on behalf of a gas retailer, the name of the gas retailer;
- (58) ~~Monthly charge in dollars (positive or negative), aggregate revenues shall include commodity costs and all non-commodity components of the utility's rates, including without limitation, costs of receiving, transporting, distributing, injecting to storage, recovering from storage, administration, regulatory, public purpose programs, energy market restructuring transition costs, and balancing accounts; for each billing period, total energy sales and transport charges, in dollars (positive or negative), incurred for utility services provided during the billing period to the service account associated with the meter (if more than one meter is associated~~

with a service account, the utility shall provide the total for all meters). Provide an indication if the service account utilizes levelized payments;

~~(69) NAICS customer classification code;~~

~~(7) Energy efficiency program participation identification;~~

~~(810) Rate schedule, including name, unique identifier, description, and an indication of all of the following for each billing period: whether the delivery is a transportation-only delivery, whether the delivery is for electric generation, and whether the delivery is to a core customer; and~~

~~(911) Any information identified in (c)(1)-(810) for 2018, 2019, and 2020 that has not already been provided.~~

(d) Each UDC and gas utility reporting pursuant to subdivisions (a) – (c) above, shall also report the following for energy efficiency measures that are funded in part or in whole by UDC or gas utility funds, provided however, that UDCs and gas utilities that report to the California Public Utilities California Energy Data and Reporting System do not need to separately report the information identified below:

(1) service account number (also known as service account identification):

(2) premise identification number. If unavailable, provide full street address for the location of the installed measure;

(3) program name and description;

(4) measure name, description, and category;

(5) the date when an energy efficiency participant claimed participation for the corresponding energy efficiency measure; and

(6) completion date.

Note: Authority cited: Sections 25213, 25218(e) and 25320, Public Resources Code. Reference: Sections 25005.5, 25216, 25216.5, 25300, 25301, 25302, 25302.5, 25303, 25305, 25305.1 and 25310, Public Resources Code.

Article 3. Petroleum Information Reports

§ 1363.1. Definitions: Specific Petroleum and Non-Petroleum Products.

(a) "Aviation Fuels" mean aviation gasoline and aviation jet fuel.

(b) "Aviation Gasoline" (Finished Aviation Gasoline) means all special grades of gasoline for use in aviation reciprocating or piston engines.

(c) "Aviation Jet Fuel" means a quality kerosene product with an average specific gravity of 40.7 API, and ten percent distillation temperature of 400 degrees Fahrenheit and an end-point of 572 degrees Fahrenheit. Aviation Jet Fuel includes Commercial and Military Jet Fuel.

(1) "Commercial Jet Fuel" includes products known as Jet A, Jet A-1 and Jet B.

(2) "Military Jet Fuel" includes products known as JP-5 and JP-8.

(d) "Bio-Diesel" means a diesel fuel substitute or diesel fuel additive or extender typically made from the oils of soybean, rapeseed, or sunflower or animal tallow that is blended with traditional diesel fuel or used in a neat fuel application. Bio-Diesel can also be made from hydrocarbons derived from agricultural products such as rice hulls. A blend of two percent bio-diesel and 98 percent traditional diesel is referred to as Bio-Diesel B2. A blend of five percent bio-diesel and 95 percent traditional diesel is referred to as Bio-Diesel B5. A blend of 20 percent bio-diesel and 80 percent traditional diesel is referred to as Bio-Diesel B20. Bio-Diesel B100 is 100 percent bio-diesel.

(e) "Crude Oil (Domestic)" means a mixture of hydrocarbons that existed in liquid phase in underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities. Also included is lease condensate moving to a refinery. Drips are also included, but topped crude oil and other unfinished oils are excluded. Natural gas liquids produced at natural gas processing plants and mixed with crude oil are likewise excluded where identifiable. Domestic crude oil is petroleum produced in the 50 states or from the "Outer Continental Shelf" as defined in 43 U.S.C. 1331, which is incorporated herein by reference, and includes synthetic crude such as, but not limited to, those derived from shale oil and tar sands.

(f) "Crude Oil (Foreign)" means a mixture of hydrocarbons that existed in liquid phase in underground reservoirs and remain liquid at atmospheric pressure after passing through surface separating facilities. Drips are also included, but topped crude oil and other unfinished oils are excluded. Natural gas liquids produced at natural gas processing plants and mixed with crude oil are likewise excluded. Foreign crude oil is petroleum produced outside of the United States and includes Athabasca hydrocarbons (oil or tar sands).

(g) "Distillates" mean distillate fuel oil without kerosene and other middle distillates not reported elsewhere.

(h) "Distillate Fuel Oil" means a general classification for one of the petroleum fractions produced in conventional distillation operations. It includes diesel fuels and fuel oils. Distillate Fuel Oil includes products known as No. 1, No. 2 and No. 4 diesel fuel and products known as No. 1, No. 2 and No. 4 fuel oils.

(1) "No. 1 Distillate" means a light petroleum distillate used as either a diesel fuel (see No. 1 Diesel Fuel) or a fuel oil (see No. 1 Fuel Oil).

(A) "No. 1 Diesel Fuel" means light distillate fuel oil with a distillation temperature of 550 degrees Fahrenheit at the 90-percent point.

(B) "No. 1 Fuel Oil" means a light distillate fuel oil with a distillation temperature of 400 degrees Fahrenheit at a ten percent recovery point and 550 degrees Fahrenheit at a 90 percent point.

(2) "No. 2 Distillate" means petroleum distillate used as either a diesel fuel (see No. 2 Diesel Fuels) or a fuel oil (see No. 2 Fuel Oil).

(A) "No. 2 Diesel Fuel" means fuel with distillation temperatures of 500 degrees Fahrenheit at a ten percent recovery point and 640 degrees Fahrenheit at a 90 percent recovery point.

(B) "EPA Low Sulfur No. 2 Diesel Fuel (EPA Highway Diesel)" means No. 2 diesel fuel with a sulfur level no higher than 0.05 percent by weight (500 ppm).

(C) "EPA Off-Road No. 2 Diesel Fuel (EPA Off Road Diesel)" means No. 2 diesel fuel with a sulfur level greater than 0.0015 percent by weight (15ppm) and less than 0.05 percent by weight (500 ppm).

(D) "CARB Low Sulfur No. 2 Diesel Fuel (CARB Diesel)" means No. 2 diesel fuel with a sulfur level no higher than 0.05 percent by weight (500 ppm) and with an aromatic hydrocarbon content limited to ten percent by volume.

(E) "EPA Ultra Low Sulfur No. 2 Diesel Fuel (EPA Highway ULS Diesel)" means No. 2 diesel fuel with a sulfur level no higher than 0.0015 percent by weight (15 ppm).

(F) "CARB Ultra Low Sulfur No. 2 Diesel Fuel (CARB ULS Diesel)" means No. 2 diesel fuel with a sulfur level no higher than 0.0015 percent by weight (15 ppm) and with an aromatic hydrocarbon content limited to ten percent by volume.

(G) "High Sulfur No. 2 Diesel Fuel" means No. 2 diesel fuel with a sulfur level above 0.05 percent by weight (500ppm).

(H) "No. 2 Fuel Oil (Heating Oil)" means distillate fuel oil with a distillation temperature of 400 degrees Fahrenheit at a ten percent recovery point and 640 degrees Fahrenheit at a 90 percent recovery point.

(3) "No. 4 Fuel Oil" means distillate fuel oil made by blending distillate fuel oil and residual fuel oil stocks. It includes No. 4 diesel fuel.

(i) "Finished Motor Gasoline" means a complex mixture of relatively volatile hydrocarbons with or without small quantities of additives having a boiling point between 122 and 158 degrees Fahrenheit at a ten percent recovery point, and 365 to 374 degrees Fahrenheit at a 90 percent recovery point. Finished Motor Gasoline includes conventional gasoline, all oxygenated gasoline, and all reformulated gasoline, but excludes aviation gasoline.

(1) "Conventional Gasoline" (not classified as oxygenated or reformulated gasoline) means types of finished gasoline that do not contain any oxygenates. These fuels include:

(A) "Arizona Conventional Gasoline" means finished motor gasoline formulated as identified in Arizona Administrative Code ~~R20-2-701.9~~, R3-7-701 (as last amended at 24 A.A.R. 2666, effective November 10, 2018.), which is incorporated herein by reference, for use in motor vehicles.

(B) "Nevada Conventional Gasoline" means finished motor gasoline formulated as identified in Nevada Administrative Code 590.065, which is incorporated herein by reference, for use in motor vehicles.

(C) "Other Conventional Gasoline" means conventional gasoline other than Arizona or Nevada Conventional Gasoline.

(2) "Oxygenated Gasoline" (not classified as reformulated gasoline outside of California, Arizona or Nevada) means finished motor gasoline that contains an oxygenate. This type of finished gasoline is primarily used during the winter months in regions of the United States that are not in compliance with carbon monoxide standards. These fuels include:

(A) "EPA Winter Oxygenated Gasoline" means a finished gasoline containing a minimum of 1.8 percent oxygen by weight that is formulated as identified in Code of Federal Regulations, tit. 40, § 80.2(rr), which is incorporated herein by reference.

(B) "Arizona Winter Gasoline" means a finished gasoline formulated as identified in Arizona Administrative Code ~~R20-2-701.3~~, R3-7-701 (as last amended at 24 A.A.R. 2666, effective November 10, 2018.), which is incorporated herein by reference, containing ten percent ethanol by volume. The unfinished base gasoline, prior to blending with ethanol, is referred to as Arizona Blendstock for Oxygenate Blending (AZRBOB).

(C) "Nevada Winter Gasoline" means finished gasoline containing ten percent ethanol by volume as identified in Clark County Air Quality Regulations § 53.1 and 53.2, which is incorporated herein by reference. The unfinished base gasoline, prior to blending with ethanol, is referred to as Nevada Blendstock for Oxygenate Blending in Las Vegas (LVBOB).

(3) "Reformulated Gasoline" means finished motor gasoline formulated to reduce emissions of various criteria pollutants from motor vehicles. These fuels include:

(A) "California Reformulated Gasoline (CaRFG)" means finished motor gasoline formulated as identified in California Code of Regulations, tit. 13, §§ 2260-2262.7, which are incorporated herein by reference. This category excludes California Reformulated gasoline Blendstock for Oxygenate Blending (CARBOB).

(B) "EPA Reformulated Gasoline (RFG)" means finished motor gasoline. This category includes oxygenated fuels program reformulated gasoline (OPRG) but excludes Reformulated gasoline Blendstock for Oxygenate Blending (RBOB).

(C) "Arizona Cleaner Burning Gasoline (Arizona CBG)" means finished motor gasoline formulated as identified in Arizona Administrative Code R20-2-701.3, which is incorporated herein by reference. This category excludes Arizona Reformulated gasoline Blendstock for Oxygenate Blending (AZRBOB).

(D) "Nevada Cleaner Burning Gasoline (NVCBG)" means finished motor gasoline formulated as identified in Clark County Air Quality Regulations § 54, Definitions, which is incorporated herein by reference. This category excludes Nevada's Cleaner Burning Gasoline Blendstock for Oxygenate Blending (CBGBOB).

(j) "Kerosene" means a petroleum distillate with a boiling point between 300 to 500 degrees Fahrenheit, a flash point higher than 100 degrees Fahrenheit a gravity range from 40 to 46 API and a burning point between 150 and 175 degrees Fahrenheit.

(k) "Liquefied Petroleum Gases" mean a group of hydrocarbon-based gases derived from crude oil refining or natural gas fractionation. They include ethane, ethylene, propane, propylene, normal butane, butylene, isobutane, and isobutylene.

(l) "Marine Fuels" are generally used by ocean-going marine vessels such as, but not limited to tugboats, harbor ships and recreational marine boats, to fuel their primary and auxiliary compression ignition engines. Marine fuel types may be categorized as distillate, intermediate or residual per the following grades and names:

(1) "Marine Fuels - Distillate Type" means Gas Oil or Marine Gas Oil. This definition includes products known as "DMX," "DMA," "DMB" and "DMC."

(2) "Marine Fuels - Intermediate Type" means Marine Diesel Fuel or Intermediate Fuel Oil (IFO). This definition includes products known as IFO 180 and IFO 380.

(3) "Marine Fuels - Residual Type" means Fuel Oil or Residual Fuel Oil. This definition includes products known as CARB diesel and CARB ULS diesel.

(4) "Marine Fuels - Low Sulfur" type means distillates with a sulfur level no higher than 0.05 percent by weight (500ppm).

(m) "Motor Gasoline Blending Components" mean components used for blending or compounding into finished motor gasoline. These components include, but are not limited to, reformulated gasoline blendstock for oxygenate blending (CARBOB and RBOB), oxygenates (alcohols and ethers), and gasoline blending components.

(1) "Reformulated Gasoline Blendstocks for Oxygenate Blending" means a base gasoline designed to be blended with an oxygenate to comply with federal or state air quality regulations. These fuels include:

(A) "California Reformulated Gasoline Blendstocks for Oxygenate Blending (CARBOB)" means unfinished motor gasoline formulated as identified in Cal. Code of Regulations, tit. 13, § 2266.5, which is incorporated herein by reference.

(B) "EPA Reformulated Gasoline Blendstocks for Oxygenate Blending (RBOB)" means unfinished motor gasoline formulated as identified in Code of Federal Regulations, tit. 40, § 80.2(kk), which is incorporated herein by reference.

(C) "Arizona Reformulated Gasoline Blendstocks for Oxygenate Blending (AZRBOB)" means unfinished motor gasoline formulated as identified in Arizona Administrative Code, R20-2-701.4, which is incorporated herein by reference.

(D) "Cleaner Burning Gasoline Blendstock for Oxygenate Blending (CBGBOB)" means unfinished motor gasoline formulated as identified in Clark County Air Quality Regulations § 54, Definitions, which is incorporated herein by reference.

(2) "Oxygenates" mean ethers and alcohols that increase the amount of oxygen in gasoline. Common ethers include ETBE, MTBE and TAME. These oxygenates include:

(A) "Ethyl Tertiary Butyl Ether (ETBE)" means an oxygenate blendstock, formed by the catalytic etherification of isobutylene with ethanol, intended for gasoline blending.

(B) "Methyl Tertiary Butyl Ether (MTBE)" means an oxygenate blendstock, formed by the catalytic etherification of isobutylene with methanol, intended for gasoline blending.

(C) "Tertiary Amyl Methyl Ether (TAME)" means an oxygenate blendstock, formed by the catalytic etherification of isoamylene with methanol, intended for gasoline blending.

(D) "Ethyl Alcohol (Fuel Ethanol)" means an anhydrous denatured aliphatic alcohol intended for gasoline blending.

(3) "Gasoline Blending Component" means a product used to blend with gasoline and includes:

(A) "Alkylate" means a branched paraffin compound formed by the catalytic reaction of isobutane with light olefins, such as ethylene, propylene, butylene, and amylene.

(B) "Hydrocrackate" means a high-octane product made in a catalytic hydrocracking unit.

(C) "Isomerate" means a high-aromatics, high-octane product made in an isomerization unit.

(D) "Iso-octane" means a pure hydrogenated form of di-isobutylene, with an average blending octane of 100, not commingled with other types of alkylates.

(E) "Iso-octene" means a pure dimerized form of isobutylene, with an average blending octane of 106, not commingled with other types of alkylates.

(F) "Natural gasoline" means a mixture of liquid hydrocarbons (mostly pentanes and heavier hydrocarbons) extracted from natural gas. It includes isopentane.

(G) "Reformate" means high-aromatics, high-octane product made in a reformer.

(H) "Toluene" means an aromatic hydrocarbon.

(I) "Other Gasoline Blending Components" mean all other gasoline blending components, including butane, butenes, catalytically cracked gasoline, coker gasoline, hexane, mixed xylene, pentane, pentane mixture, polymer gasoline, raffinate, straight-run gasoline, straight-run naphtha, thermally cracked gasoline and transmix containing gasoline.

(n) "Naphtha Jet Fuel" means fuel in the heavy naphtha boiling range with an average specific gravity of 52.8 API and 20 to 90 percent distillation temperatures of 290 to 470 degrees Fahrenheit.

(o) "Natural Gas Liquids" mean all liquid products separated from natural gas in gas processing or cycling plants. These include natural gas plant liquids and lease condensate:

(1) "Natural Gas Plant Liquids" means hydrocarbons in natural gas that are separated as liquids at downstream gas processing plants or at fractionating and

cycling plants. Products obtained include liquefied petroleum gases and pentanes plus.

(2) "Lease Condensate" means a mixture consisting primarily of pentanes and heavier hydrocarbons recovered as a liquid from natural gas in lease separation facilities. Lease condensate excludes natural gas plant liquids, such as butane and propane, that are recovered in downstream natural gas processing plants or facilities.

(p) "Petroleum Coke" means a solid residue that is the final product of the condensation process in cracking. It consists primarily of highly polycyclic aromatic hydrocarbons very poor in hydrogen. Calcination of petroleum coke can yield almost pure carbon or artificial graphite suitable for production of carbon or graphite electrodes, structural graphite, motor brushes, dry cells, etc. This type of product is referred to as calcined coke. Petroleum coke is also designated as Marketable and Catalyst:

(1) "Marketable Petroleum Coke" means petroleum coke that is produced by a coker at a refinery.

(2) "Catalyst Petroleum Coke" means petroleum coke that is produced from a fluidized coker at a refinery.

(q) "Petroleum Products" mean, but are not limited to, finished motor gasoline, distillate, marine fuel, kerosene, biodiesel, aviation gasoline, aviation jet fuel, reformulated blendstocks for oxygenate blending, gasoline blending components, residual fuel oil, petroleum coke, liquefied petroleum gases, liquefied natural gas, synthetic fuel and unfinished oil.

(r) "Residual Fuel Oil" means a general classification for heavier oils, known as No. 5 and No. 6 fuel oils, that remain after the distillate fuel oils and lighter hydrocarbons are distilled away in refinery operations. No. 5 is generally used in steam-powered vessels in government service and onshore power plants. No. 6 fuel oil includes Bunker C fuel oil and is generally used for the production of electric power, space heating, vessel bunkering, and various industrial purposes.

(s) "Synthetic Fuel" means a fuel derived from feedstock such as coal, oil shale, tar sands, biomass, or natural gas, including gas-to-liquid (GTL) fuels.

(t) "Transmix" means the resultant mixture that is created by the commingling of two different petroleum products, at their interface zone, during transport in a petroleum products pipeline.

(u) "ULS Diesel" means ultra low sulfur diesel fuel.

(v) "Unfinished Oils" means all oils requiring further processing at a refinery. Unfinished oils include naphthas and lighter oils, kerosene and light gas oils, heavy gas oils, and residuum.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code.
Reference: Section 25354, Public Resources Code.

Division 2, Chapter 3, Article 3, Appendix A

Information Requirements for ~~Monthly~~ Weekly Reports

I. California Refiners' Weekly Reports shall contain all of the information specified below:

- A. All of the information specified on the form EIA800 published by the United States Department of Energy.
- B. All of the information specified on the CEC form W800. Specifically, net production and stocks of motor gasolines, blending components and distillate fuel oils.-

Note: Authority cited: Sections 25213, 25218(e) and 25354, Public Resources Code.
Reference: Section 25354, Public Resources Code.

II. California Imports, Exports, and Intrastate Movements Weekly Reports shall contain all of the information specified on the CEC form W700. Specifically, the information detailed below in subsections A through E for crude oil, finished motor gasoline, gasoline blendstocks, oxygenates, distillates, and aviation fuels.

- A. Imports into California of crude oil, petroleum products and oxygenates by marine vessel for each weekly reporting period in thousands of barrels by specific product type, discharge date and California discharge port.
- B. Exports from California of crude oil, petroleum products and oxygenates by marine vessel for each weekly reporting period in thousands of barrels by specific product type, load date and California load port.
- C. Exports from California of crude oil, petroleum products and oxygenates by pipeline for each weekly reporting period in thousands of barrels by each specific product type, product regrades, product code, pipeline name, and delivery terminal name.
- D. Imports into California of crude oil, petroleum products and oxygenates by rail for each weekly reporting period in thousands of barrels by specific product type, discharge date and discharge location. Imported volumes from individual rail cars of identical product type and identical point of origin can be aggregated if the product is discharged on the same date.
- E. Exports from California of crude oil, petroleum products and oxygenates by rail for each weekly reporting period in thousands of barrels by specific product type, load date and California load location. Exported volumes from individual rail cars of identical product type and identical intended destination can be aggregated if the product is loaded on the same date.

Note: Authority cited: Sections 25213, 25218(e) and 25354, Public Resources Code.
Reference: Section 25354(i), Public Resources Code.

III. California Major Petroleum Product Storer and Terminal Weekly Reports shall contain all of the information specified on CEC form W08. Specifically the information detailed below in subsections A through C for crude oil, finished gasoline blended with ethanol, other motor gasolines, gasoline blendstocks, oxygenates, distillates, aviation fuels, liquefied petroleum gases, crude oil, and other petroleum products.

A. Production of finished motor gasoline blended with ethanol by weekly reporting period, in thousands of barrels for each California terminal location, including California refineries that blend such type of motor gasoline for dispensing at truck loading racks within the refinery gate.

B. Production of finished motor gasoline blended with ethanol manufactured for use in Arizona and Nevada, by weekly reporting period, in thousands of barrels for each California terminal location, whereby such type of motor gasoline is dispensed for purpose of export by truck to destinations in either Arizona or Nevada.

C. Receipts and ending inventories of specified petroleum products for each weekly reporting period, in thousands of barrels, for each California terminal location.

Note: Authority cited: Sections 25213, 25218(e) and 25354, Public Resources Code.
Reference: Section 25354(i), Public Resources Code.

IV. California Dealer Tank Wagon Price Weekly Reports shall contain all of the information specified on CEC form W900. Specifically, these reports shall contain the information detailed below in subsections A through D for each grade (regular, mid-grade and premium) of finished gasoline.

A. Weighted average dealer tank wagon price that is based on all wholesale transactions for gasoline delivered to final destination during the reporting period for each specified region of California. The delivered prices used in the calculation, referred to as "weighted average dealer tank wagon prices," shall reflect the volume-weighted dealer tank wagon (DTW) prices for each specific region of California for the reporting period.

B. Number of individual delivery sites used in the calculation for the reporting period, rather than the total number of deliveries, for each specified region of California. A refiner shall be exempt from supplying the required information for a specific region of California if that refiner delivers to 10 sites or less during any reporting period.

C. The high and low DTW prices reported for each grade of gasoline for each region specified of California during the reporting period.

D. Volume of finished gasoline, in thousands of gallons, delivered within each of the regions of California defined by Section 1363.2 during the reporting period.

Note: Authority cited: Sections 25213, 25218(e) and 25354, Public Resources Code.
Reference: Section 25354(i), Public Resources Code.

Article 4. Wind Performance Reporting Systems

§ 1381. Title and Purpose.

~~The purpose of this article is to specify performance reporting requirements for operators of specified wind energy projects and for entities which purchase electricity from the projects and to identify requirements for the Commission to publish the information.~~

~~Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.~~

§ 1382. Definitions.

~~For the purposes of this article, the following definitions shall apply unless the Commission has clearly indicated otherwise in these regulations:~~

~~(a) — "Contingency Costs": the costs which may be paid by investors after the initial investment, but which are not paid out of project revenues. Contingency costs may include such costs as turbine repairs or annual insurance fees paid during the reporting year.~~

~~(b) — "Cumulative Number of Turbines Installed": the cumulative total number of turbines of a given model installed by the end of the reporting period.~~

~~(c) — "Electricity Produced (kWh)": the total kilowatt hours actually produced by all of the turbines of a particular turbine model contained within the wind project where the electricity is delivered to a wind power purchaser for sale during the reporting period.~~

~~(d) — "Name of Wind Project": the name used for the project in any prospectus, offering memorandum, or sales literature.~~

~~(e) — "Number of Turbines Installed During Reporting Period": the number of additional turbines installed during the calendar quarter of the reporting period.~~

~~(f) — "Project Cost": the total cost of the turbines installed during the reporting period. Project cost includes all debt and equity investment in the project (including non-recourse notes) and should be comparable to the project cost shown in the offering memorandum, prospectus or sales literature published by the developer.~~

~~(g) — "Projected Annual Production Per Turbine (kWh)": the annual average kWh production, by model, predicted by the developer in its prospectus, offering memorandum, or~~

sales literature. This figure may be revised annually prior to the first reporting quarter of each year and shall be based upon average site specific wind distributions and the wind turbine power curves.

(h) — "~~Projected Quarterly Production Per Turbine (kWh)~~": the quarterly breakdown of the ~~Projected Annual Production Per Turbine~~.

(i) — "~~Rotor (M²)~~": the rotor swept area in square meters for each turbine model.

(j) — "~~Size (kW)~~": the turbine manufacturer's published kW rating at a specific miles per hour (mph) with wind speed shown in parentheses.

(k) — "~~Turbine Model~~": the common or manufacturer's name for the turbine if that is a commonly used term for the model of a specific rotor (M²) and size (kW).

(l) — "~~Wind Power Purchaser~~": any electricity utility or other entity which purchases electricity from a wind project, as defined in this section.

(m) — "~~Wind project~~": one or more wind turbine generators installed in California with a combined rated capacity of 100 kW or more, the electricity from which is sold to another party.

(n) — "~~Wind Project Operator~~": any developer or operator who directly receives payments for electricity from the wind power purchaser.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.

~~§ 1383. Reporting Period.~~

For the purposes of this article, and unless otherwise indicated, the reporting period shall be each calendar quarter, beginning with the first quarter following the effective date of this article. Quarterly reports filed pursuant to this article shall be submitted not later than the forty-fifth day following the close of each reporting period. Reports shall be deemed submitted as of the date of postmark, provided that the report is properly and legibly completed.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.

~~§ 1384. Requirements to File.~~

The information required by this article shall be submitted to the Commission by wind project operators and wind power purchasers. Reports shall be made on forms prescribed by order of the Commission and according to instructions accompanying the forms. A copy of the wind project prospectus, offering memorandum, and other sales literature shall accompany the initial report. All reports must be verified by a responsible official of

~~the firm filing the report. Requests for confidentiality may be filed pursuant to 20 Cal. Admin. Code Section 2501 et seq.~~

~~Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code.
Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.~~

~~**§ 1385. Information Requirements: Wind Project Operators.**~~

~~Each operator firm submitting information pursuant to the provisions of this article shall include the following:~~

- ~~(1) Name of wind project~~
- ~~(2) Name and address of operator~~
- ~~(3) Name and phone number of contact person at operator's firm~~
- ~~(4) Operator's name as shown on power purchase contract (if different than 2 above)~~
- ~~(5) Name of wind power purchaser~~
- ~~(6) Purchase contract number~~
- ~~(7) Resource area and county~~
- ~~(8) Dates of reporting period~~
- ~~(9) Turbine model~~
- ~~(10) Cumulative number of turbines installed~~
- ~~(11) Number of turbines installed during reporting period~~
- ~~(12) Rotor (M²)~~
- ~~(13) Size (kW) at stated wind speed~~
- ~~(14) Project cost~~
- ~~(15) Additional project contingency costs for which investors may be responsible~~
- ~~(16) Projected quarterly production per turbine (kWh)~~
- ~~(17) Projected annual production per turbine (kWh)~~

- (18) — Electricity produced (kWh)
- (19) — Turbine manufacturer's name and address
- (20) — Operator comments, if any.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.

~~§ 1386. Information Requirement: Wind Power Purchaser.~~

~~Each wind power purchaser submitting information pursuant to the provisions of this article shall include the following:~~

- (1) — Name of purchaser's firm
- (2) — Name and phone number of contact person at purchaser's firm
- (3) — Date of report
- (4) — Name of wind project operator
- (5) — Number of contract with wind project operator
- (6) — kWh's produced during reporting period
- (7) — Dates of reporting period
- (8) — The maximum MW's which the operator can deliver to the purchaser as specified in the power sales agreement.
- (9) — Purchaser comments, if any.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.

~~§ 1387. Publication of Data.~~

~~The Commission staff shall compile and distribute, on a quarterly basis, the information reported by wind project operators and purchasers. Cost data will be published by the Commission in an aggregated form to the extent necessary to assure confidentiality. The final publication of each year shall combine the performance data for that year. The publication shall designate the name of any wind project operator from whom performance data is not received.~~

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference:

Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.

§ 1388. Failure to Provide Information.

~~The Commission may, after notifying any person of the failure to provide information pursuant to this article, take such action to secure the information as is authorized by any provision of law, including, but not limited to, Public Resources Code Section 25900.~~

~~Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c), 25605(e) and 25900, Public Resources Code.~~

§ 1389. Exemptions.

~~Operators of wind projects of less than 100 kW rated capacity or operators who do not offer electricity for sale are exempt from this article.~~

~~Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code. Reference: Sections 25216.5(d), 25601(c) and 25605, Public Resources Code.~~

Article 4. Alternative Transportation Fuels

§ 1381. Title and Purpose.

The purpose of this article is to specify reporting requirements for operators of infrastructure pertaining to alternative energy sources for transportation.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code. Reference: 25301, 25302, 25304, 25305, 25320, 25700, and 25704, Public Resources Code.

§ 1382 Definitions

In this Article, the following definitions apply unless the context clearly requires otherwise:

(a) "Hydrogen" means diatomic molecular hydrogen, the lightest of all gases.

(b) "Hydrogen fuel" means a fuel composed of molecular hydrogen sold for consumption in a surface vehicle or electricity production device with an internal combustion engine or fuel cell.

(c) "Hydrogen fueling station" means a facility that dispenses hydrogen fuel for the purposes of fueling hydrogen-based motor vehicles.

(d) "Hydrogen plant" means an industrial gas manufacturing facility (NAICS Code 325120) that produces on-purpose hydrogen.

(e) "Hydrogen producer" means a company as defined in Section 25321 (b), Public Resources Code that operates a major hydrogen plant.

(f) "Major hydrogen plant" means a hydrogen plant that produces more than 10,000 kilograms of on-purpose hydrogen during any month of the current or preceding calendar year.

(g) "On-purpose hydrogen" means molecular hydrogen in gaseous or liquid state produced as a result of process or processes dedicated to producing hydrogen (e.g. steam reforming or electrolysis).

(h) "Renewable diesel" means a motor vehicle fuel or fuel additive that is all of the following: registered as a motor vehicle fuel or fuel additive under 40 C.F.R. Part 79; not a mono-alkyl ester; intended for use in engines that are designed to run on conventional diesel fuel; and derived from nonpetroleum renewable resources.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code.
Reference: 25301, 25302, 25304, 25305, 25320, 25700, and 25704, Public Resources Code.

§ 1383 Hydrogen Plant Data

(a) Each major hydrogen producer, defined as a company that operates a major hydrogen plant that is located in California, shall file quarterly reports for the previous calendar quarter on the 15th day of February, May, August, and November. Quarterly reports shall contain the information identified in subdivision (b).

(b) Informational Requirements for Monthly Reports.

(1) Kilograms of on-purpose hydrogen and liquid hydrogen produced each month at the facility.

(2) Inventory levels of on-purpose hydrogen in kilograms at the beginning and end of each month.

(3) The type of chemical feedstock used to produce the hydrogen. Feedstock includes methane and water for steam methane reformation. For hydrogen produced by water electrolysis, feedstock is both water and electricity used.

(4) The amount of feedstock and inputs used to produce the hydrogen.

(5) The amount of on-purpose hydrogen in kilograms distributed to a petroleum refinery.

(6) The amount of on-purpose hydrogen in kilograms distributed to a hydrogen fueling station.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code. Reference: 25301, 25302, 25304, 25305, 25320, 25700, and 25704, Public Resources Code.

§ 1384 Biodiesel and Renewable Diesel Production Data

(a) The owner or operator of each biodiesel plant, defined as any industrial plant that processes biomass feedstock and produces more than 84,000 gallons of biodiesel during any month of the current or preceding calendar year and that is located in California, and each renewable diesel plant, defined as any industrial plant that processes feedstock and produces more than 84,000 gallons of renewable diesel during any month of the current or preceding calendar year and is located in California, shall file monthly reports containing all of the information specified in subdivision (b) below. Monthly reports are due no later than the 30th day following the end of the previous month.

(b) Informational Requirements for Monthly Reports

(1) California Biodiesel Plant Monthly Reports shall contain the following information:

(A) All of the information specified on Form EIA-819 (OMB No. 1905-0165, Exp. 01/31/2023) published by the United States Department of Energy, which is incorporated by reference.

(B) The type and amount of feedstock and/or California Air Resources Board Low Carbon Fuel Standard pathway used to produce biodiesel.

(C) Volumes of biodiesel distributed in gallons, categorized by the level of distribution: direct sale, wholesale, or export outside of California.

(2) California Renewable Diesel Plant Monthly Reports shall contain the following information:

(A) All of the information specified on Form EIA-819 (OMB No. 1905-0165, Exp. 01/31/2023) published by the United States Department of Energy, which is incorporated by reference.

(B) The type and amount of feedstock and/or California Air Resources Board Low Carbon Fuel Standard pathway used to produce renewable diesel.

(C) Volumes of renewable diesel distributed in gallons, categorized by the level of distribution: direct sale, wholesale, or export outside of California.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code. Reference: Sections 25301, 25302, 25304, 25305, 25320, 25700, and 25704, Public Resources Code.

§ 1387 Form and Format of Reports.

The Executive Director of the CEC may specify the format for the various reports required by this Article. The Executive Director of the CEC may additionally provide forms or other instructions to facilitate the filing or analysis of the information required by this article. The Executive Director of the CEC shall provide thirty days' notice prior to specifying or modifying any form or format.

Note: Authority cited: Sections 25213, 25216.5, 25218, Public Resources Code; and section 11340.9, Government Code. Reference: Sections 25301, 25302, 25304, 25305, 25320, 25700, and 25704, Public Resources Code.

Chapter 7. Administration

Article 2. Disclosure of Commission Records

§ 2502. Scope.

(a) This Article applies to inspection and copying of all records. It applies to any person making any request to copy or inspect records. It applies to any request by any person for the Commission to keep a record confidential, including, but not limited to, requests pursuant to Section 25322 of the Public Resources Code.

(b) Nothing in this article shall be construed to require disclosure of a record that is exempt from disclosure under the California Public Records Act, Government Code sections 6250 et seq. This provision is declarative of existing law.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code; and Section 6253(a), Government Code. Reference: Sections 25223, 25322 and 25366, Public Resources Code.

~~§ 2504. Inspection and Copying.~~

~~(a) This section applies to all records, except records deemed confidential, which are subject to the provisions of Section 2506.~~

~~(b) A request to inspect or copy a record shall be made orally or in writing to the Office of Chief Counsel. The Public Adviser will assist persons in requesting records. A request shall describe the record sought in sufficient detail so that it can be identified and found by a Commission employee.~~

~~(c) — Time and Place. A request to inspect or copy a readily identifiable and available record shall be satisfied within ten days of receipt of the request unless the need to complete processing or filing of the record, the use of the record by another person or a Commission employee, the volume of requests, the unavailability of Commission employees, or other unusual circumstances renders such a response impracticable, in which case the Commission will notify the person making the request of the need for an extension within ten days of the request. Such extension shall not exceed ten working days. All records except records determined to be confidential pursuant to Section 2505, Section 2506, or Section 2508 shall be made available for inspection and copying Monday through Friday, generally between 8 a.m. and 5 p.m at the Commission's offices. The Executive Director shall make reasonable efforts to provide facilities for inspection of records, including a desk for notetaking.~~

~~(d) — Protection of Records. Records may be inspected or copied only at Commission offices. The Executive Director may designate a particular place for the public to inspect or copy records. He or she may establish procedures for responding in a fair and orderly manner to numerous requests, including, when strictly necessary to prevent disruption of Commission functions, establishing a specific time each day for inspection and copying. He or she may require a Commission employee to be present at the time of inspection or copying, but such employee shall not disturb a person inspecting or copying records. Where necessary, copies of records rather than originals may be provided for inspection.~~

~~(e) — Computer Records. Inspection and copying of computer records and other records whose form makes inspection or copying difficult or impracticable shall be in a manner determined by the Executive Director. If providing an exact copy is impracticable, some type of copy shall nevertheless be provided.~~

~~(f) — Copies. Except for records determined to be confidential pursuant to Section 2505 or Section 2506, copies and certified copies of all records are available to any person for a fee which shall be paid at the time a request is made. The fee for providing a copy or a certified copy shall be no higher than the actual cost of providing the copy, or the prescribed statutory fee, whichever is less.~~

~~Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code; and Section 6253(a), Government Code. Reference: Sections 25223, 25322 and 25366, Public Resources Code; and Sections 6253(a), 6256 and 6257, Government Code.~~

§ 2505. Designation of Confidential Records.

(a) Third Parties.

(1) Any private third party giving custody or ownership of a record to the Commission shall specify if it should be designated a confidential record and not publicly disclosed. An application for confidential designation shall:

(A) be on a sheet or sheets separate from, but attached to, the record;

(B) specifically indicate those parts of the record that should be kept confidential;

(C) state the length of time the record should be kept confidential, and justification for the length of time;

(D) cite and discuss the provisions of the Public Records Act or other law that allow the Commission to keep the record confidential. If the applicant believes that the record should not be disclosed because it contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, the application shall also state the specific nature of that advantage and how it would be lost, including the value of the information to the applicant, and the ease or difficulty with which the information could be legitimately acquired or duplicated by others;

(E) state whether the information may be disclosed if it is aggregated with other information or masked to conceal certain portions, and if so the degree of aggregation or masking required. If the information cannot be disclosed even if aggregated or masked, the application shall justify why it cannot;

(F) state how the information is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant, and if so under what circumstances;

(G) contain the following certification executed by the person primarily responsible for preparing the application:

1. "I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge," and

2. State whether the applicant is a company, firm, partnership, trust, corporation, or other business entity, or an organization or association, and

3. State that the person preparing the request is authorized to make the application and certification on behalf of the entity, organization, or association.

(H) If the record contains information that the applicant has received from another party who has demanded or requested that the applicant maintain the confidentiality of the information, the applicant shall address the items

in (B) through (F) of this subsection to the greatest extent possible and shall explain the demand or request made by the original party and the reasons expressed by the original party. If the basis of an application for confidential designation is an order or decision of another public agency pursuant to the Public Records Act or the Freedom of Information Act, the application shall include only a copy of the decision or order and an explanation of its applicability. The Executive Director shall consult with that agency before issuing a determination.

(2) A deficient or incomplete application shall be returned to the applicant with a statement of its defects. The record or records for which confidentiality was requested shall not be disclosed for fourteen days after return of the application to allow a new application to be submitted except as provided in Section 2507 of this Article.

(3) Executive Director's Determination.

(A) The Executive Director shall, after consulting with the Chief Counsel, determine if an application for confidential designation should be granted. An application shall be granted if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the Commission to keep the record confidential. The Executive Director's determination shall be in writing and shall be issued no later than thirty days after receipt of a complete application. The Executive Director or the Chief Counsel may, within fourteen days after receipt of an application for confidential designation, require the applicant to submit any information that is missing from the application. If the missing information is not submitted within fourteen days of receipt of the request by the Executive Director or Chief Counsel, the Executive Director may deny the application.

(B) If an application is denied by the Executive Director, the applicant shall have fourteen days to request that the Commission determine the confidentiality of the record. If the applicant makes such a request, the Commission shall conduct a proceeding pursuant to the provisions of Section 2508.

(C) After an application has been denied, the information sought to be designated confidential shall not be available for inspection or copying for a period of fourteen days, except as provided in Section 2507 of this Article.

(4) Repeated Applications for Confidential Designation. If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to Section 2508, or for which an application for confidential designation was

granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

(5) Automatic Designation. Information submitted by a private third party shall be designated confidential without an application for confidentiality if the requirements of subsections (a)(5)(A) and (B) of this Section are met. If the requirements of subsection (a)(5)(A) and (B) are not met, the Executive Director shall inform the private third party that the record will not be deemed confidential. Except as provided in Section 2507 of this Article, the record for which confidentiality was requested shall not be disclosed for fourteen days to allow the requirements of subsection (a)(5)(A) and (B) to be met or to allow the filing of an application pursuant to subsection (a)(1) of this section.

(A) The entity submitting the information shall label each individual item of the submittal that is entitled to be designated confidential.

(B) The entity submitting the information shall attest under penalty of perjury that the information submitted has not been previously released and that it falls within one of the following categories:

1. Information that is derived from energy consumption metering, energy load metering research projects, or energy surveys provided pursuant to Section 1343 or 1344 of Article 2 of Chapter 3, and that is one or more of the following:

a. for the residential customer sector and the commercial customer sector - customer identifiers, energy consumption, and any other information that could allow a third party to uniquely identify a specific respondent;

b. industrial major customer sector - all information;

c. survey design information - all information used to design a survey, stratify billing records, devise a sample scheme, select a sample, sample specific end-users for participation in a survey or a pre-test of a questionnaire or interview form.

2. Energy sales data provided pursuant to Section 1306, 1307, or 1308(c) of Article 1 of Chapter 3, if the data is at the greatest level of disaggregation required therein.

3. Information submitted by each LSE that is not a UDC that consists of:

a. Load forecasts and supporting customer projections by UDC distribution service area submitted pursuant to subdivision (b) of Section 1345 of Article 2 of Chapter 3.

b. Retail electricity price forecasts submitted pursuant to subdivision (a) of Section 1348 of Article 2 of Chapter 3.

4. Fuel cost data provided for individual electric generators under Section 1304 and fuel price data provided pursuant to subdivision (d) of Section 1308 of Article 1 of Chapter 3.

5. Records of Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.

6. Electric power plant-specific hourly generation data.

7. Electric power plant name, nameplate capacity, voltage at which the power plant is interconnected with a UDC system or transmission grid, address where the power plant is physically located, power plant owner's full legal name and address or longitude and latitude, if power plant is privately owned and its identity as a power plant is not public knowledge, (e.g., backup generator or solar installation at residence or business) under Section 1304 of Article 1 of Chapter 3.

8. Information the release of which is prohibited pursuant to the Information Practices Act (Civil Code Section 1798 et seq.)

9. All information provided pursuant to Section 1314 of Article 1 of Chapter 3 and Section 1353 of Article 2 of Chapter 3.

(6) Failure to request confidentiality at the time a record is submitted to the Commission does not waive the right to request confidentiality later; however, once a record has been released to the public, the record can no longer be deemed confidential. Although a record designated as confidential shall remain confidential during the application and appeal process, subject to the provisions of Section 2507(b) of this Article, the application itself is a public document and can be released.

(b) Governmental Entities. When another federal, state, regional, or local agency or state-created private entity, such as the California Independent System Operator, possesses information pertinent to the responsibilities of the Commission that has been designated by that agency as confidential under the Public Records Act, or the Freedom

of Information Act, the Commission, the Executive Director, or the Chief Counsel may request, and the agency shall submit the information to the Commission without an application for confidential designation. The Commission shall designate this information confidential.

(c) Commission Generated Information

~~(1) — The Executive Director in consultation with the Chief Counsel, may designate information generated by Commission staff as confidential under the Public Records Act. A confidential designation made in this manner shall be summarized in the agenda for the next Commission Business Meeting. Any private third party or public entity may request to inspect or copy these confidential records by filing a petition pursuant to Section 2506 of this Article.~~

~~(2)~~(1) Contracts and Proposals

(A) Information received by the Commission in response to a solicitation shall be kept confidential by the Commission and its evaluators before posting of the notice of the proposed award. The solicitation document shall specify what confidential information the proposal may contain and how that confidential information will be handled after the posting of the notice of the proposed award.

(B) The Executive Director, in consultation with the Chief Counsel, may designate certain information submitted under a contract as confidential in accordance with the Public Records Act or other provisions of law. The designation and its basis shall be in writing and contained in the contract governing the submittal of the information or in a separate statement. The contract or written statement shall also state exactly what information shall be designated confidential, how long it shall remain confidential, the procedures for handling the information, and all other matters pertinent to the confidential designation of the information.

~~(3)~~(2) All data generated by the Commission that is the same type as the data described in Section 2505(a)(5)(B) of this Article shall be kept confidential by the Commission.

(d) All documents designated confidential pursuant to this Section shall be treated as confidential by the Commission except as provided in Section 2507.

~~(e) Every three months, the Executive Director shall prepare a list of data designated confidential pursuant to this Section during the previous three months. The Executive Director shall give the list to each Commissioner. The list shall also be made available to the public upon request.~~

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code; and Section 6253(a), Government Code. Reference: Sections 25223, 25322, 25364 and 25366, Public Resources Code; and *Bakersfield City School District v. Superior Court* (2004) 118 Cal.App.4th 1041.

§ 2507. Disclosure of Confidential Records.

(a) No confidential record shall be disclosed except as provided by this Section, Section 2506, or Section 2508, unless disclosure is ordered by a court of competent jurisdiction.

(b) No record that is the subject of a pending request for confidentiality pursuant to subdivisions (a) or (c) of Section 2505, a pending petition for inspection or copying of confidential records pursuant to subdivision (b)(5) of Section 2506, or a pending request pursuant to subdivision (e)(2) and (f)(2) of this section shall be disclosed except as provided in this section, unless disclosure is ordered by a court of competent jurisdiction.

(c) The Executive Director may disclose records previously designated as confidential to:

(1) Commission employees or representatives whose Commission work requires inspection of the records;

(2) Persons under contract to the Commission whose work for the Commission requires inspection of the records and who agree in a contract to keep the records confidential; and

(3) Other governmental bodies and state-created private entities, such as the California Independent System Operator, that need the records to perform their official functions and that agree to keep the records confidential and to disclose the records only to those employees or contractors whose agency work requires inspection of the records.

(d) The Executive Director may disclose data collected in association with customer surveys of the type described in Section 1343 of Article 2 of Chapter 3 and that are not masked or aggregated to the following entities:

(1) Demand side management program administrators, funded through the Energy Efficiency Public Goods Charge (EPPGC) established in Public Utilities Code Section 381(c), which need the survey responses to perform their official functions and that agree to keep the records confidential and to disclose the records only to those employees, and contractors, who need that data for EPPGC program evaluation and planning.

(2) Utilities that opt into collaborative surveys funded by the Commission, or that contribute funds for the implementation of a survey coordinated by the

Commission, pursuant to Section 1343(f) of Article 2 of Chapter 3, may have access to that portion of survey responses by customers included within their service area provided they agree to keep the records confidential and to disclose the records only to those employees, and contractors, who need the data for distribution system planning.

(e) Unless an application for confidentiality is granted under section 2505(a)(3) specifying a different confidentiality term, data subject to an automatic confidentiality designation under section 2505(a)(5) will remain confidential in accordance with the following timelines:

(1) Load forecasts and supporting customer projections by UDC distribution service area submitted pursuant to subdivision (b) of Section 1345 of Article 2 of Chapter 3 may be released no sooner than 3 years from the date of submittal.

(2) Retail electricity price forecasts submitted pursuant to subdivision (a) of Section 1348 of Article 2 of Chapter 3 may be released no sooner than 3 years from the date of submittal.

(3) Fuel price data provided pursuant to subdivision (d) of Section 1308 of Article 1 of Chapter 3 may be released no sooner than 5 years from the date of submittal.

(4) Electric power plant-specific hourly generation data may be released no sooner than 5 years from the date of submittal.

(5) LSE and UDC reports submitted pursuant to Sections 1306, 1307, or 1308(c) of Article 1 of Chapter 3 may be released no sooner than 5 years from the date of submittal.

(e)(f) The Executive Director may release records previously designated as confidential in either of the following circumstances:

(1) where the confidential information has been masked or aggregated at the as levels described below in subdivisions (A)-(D)

(A) Data provided pursuant to Sections 1306(a)(1), 1306(a)(4), 1306(b), Section 1307(a), and Section 1308(c)(1) of Article 1 of Chapter 3 may be disclosed at the following levels of aggregation or higher:

1. For an individual LSE for whom electricity is delivered by one or more UDCs, data for each LSE aggregated at the statewide level by year and major customer sectors.

2. For an individual gas retailer for whom gas is delivered by one or more gas utilities, data for each gas retailer aggregated at the statewide level by year and ~~major~~-customer sector.

3. For the sum of all LSEs for whom electricity is delivered by one or more UDCs (1) data aggregated at the county level by residential and non-residential groups, and (2) data aggregated at the distribution service area, planning area, or statewide level by ~~major~~ customer sector.

4. For the sum of all gas retailers for whom gas is delivered by gas utilities (1) data aggregated at the county level by residential and non-residential groups, and 2) data aggregated at the distribution service area, planning area, or statewide level by ~~major~~-customer sector.

5. For a UDC with a peak load of less than 200 MW during both of the previous two years or a gas utility with deliveries of less than 50 billion cubic feet per year during both of the previous two years, data aggregated at the distribution service area, planning area, or statewide level by ~~major~~-customer sector.

6. For a UDC with a peak load of 200 MW or more during both of the previous two years or a gas utility with deliveries of 50 billion cubic feet or less during both of the previous two years, (1) data aggregated at the county level by residential and non-residential groups, and (2) data aggregated at the distribution service area, planning area, or statewide level by ~~major~~-customer sector.

7. For the total sales by county:

a. sum accounts, kWh, and revenue reported by all UDCs, aggregated at the county level by the subsector (3-digit) code level identified in the NAICS as defined in subdivision (b)(55) of Section 1302~~economic industry groupings used by the California Employment Development Department in its September 2005 Current Employment Statistics survey county reports.~~

b. sum accounts, therms, and revenue reported by all gas utilities, aggregated at the county level by the subsector (3-digit) code level identified in the NAICS as defined in subdivision (b)(55) of Section 1302 ~~economic industry groupings used by the California Employment Development Department in its September 2005 Current Employment Statistics survey county reports.~~

8. For total consumption by county:

a. sum electricity deliveries (kWh) reported by all UDCs and electric generation consumed on site (other than for plant use) reported by power plants, aggregated at the county level by the subsector (3-digit) code level identified in the NAICS as defined in subdivision (b)(55) or Section 1302 economic industry groupings used by the California Employment Development Department in its September 2005 Current Employment Statistics survey county reports.

b. the sum of natural gas deliveries (therms) as reported by all gas utilities, and natural gas that is produced and consumed on site as reported by gas retailers, with the sum aggregated at the county level by the subsector (3-digit) code level identified in the NAICS as defined in subdivision (b)(55) of Section 1302 economic industry groupings used by the California Employment Development Department in its September 2005 Current Employment Statistics survey county reports.

(B) Electric generator fuel cost data provided pursuant to Section 1304(a)(2)(C) and electric generator fuel price data computed from fuel cost and fuel use data reported pursuant to Section 1304(a)(2)(C), may be disclosed if aggregated by fuel type and gas service area or higher, and if the disclosure is made six months after the end of the month for which prices were reported.

(C) Data of the type described in Section 1343 of Chapter 3, Article 2 and collected in association with customer surveys that are begun after December 8, 2000, may be disclosed in the following manner:

1. Residential customer sector and commercial customer sector survey responses from persons or companies may be released after name, address, and other respondent identifiers have been removed, and usage data and responses to specific survey questions that could allow a third party to uniquely identify a respondent have been masked;

2. Industrial major customer sector responses from companies may not be released. Tabulations of industrial major customer sector survey data may be released only after the data has been aggregated to ensure that information about respondents will not be disclosed.

~~(2) where information designated as confidential that is other than that identified in subdivision (e)(1) above has been masked or aggregated to the point necessary to protect confidentiality. When the Executive Director plans to release masked or aggregated confidential data, he or she shall provide notice to the filer of the information, who may, within fourteen days, request that the Commission prohibit the release of the information. During that time, the records shall not be available for inspection or copying. If the filer makes such a request, the Commission shall conduct a proceeding pursuant to the provisions of Section 2508. any other situation in which records that have been designated as confidential are masked, aggregated, or anonymized to the extent necessary to ensure confidentiality.~~

(fg) The Executive Director may release records previously designated as confidential in either of the following circumstances:

(1) upon written permission by all entities who have the right to maintain the information as confidential; or

(2) where the data has been publicly released either by the filer or by another governmental agency; or

(23) under any other circumstance where the information is no longer entitled to confidential treatment. When the Executive Director plans to release such information, he or she shall provide notice to the filer of the information, who may, within fourteen days, request that the Commission prohibit the release of the information. During that time, the records shall not be available for inspection or copying. If the filer makes such a request, the Commission shall conduct a proceeding pursuant to the provisions of Section 2508.

Note: Authority cited: Sections 25213 and 25218(e), Public Resources Code; and Section 6253(a), Government Code. Reference: Sections 25223, 25322 and 25366, Public Resources Code.