



February 21, 2018

1516 Ninth Street
Art Rosenfeld Hearing Room – First Floor
Sacramento, California 95814

9 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
 - a. INTERNATIONAL CODE COUNCIL. Proposed resolution approving Agreement MOU-17-005 with the International Code Council (ICC) for a \$0 Memorandum of Understanding (MOU) to co-produce a training guidebook entitled "Significant Changes to the California Energy Code - 2019 Edition." The guidebook would be part of ICC's series of Title 24 code compliance publications, and coincide with the 2019 Energy Standards implementation. Contact: Paula David.
 - b. THE GOVERNMENT OF DENMARK. Proposed resolution approving Agreement MOU-17-006 with the Government of Denmark to share knowledge, experiences, data, and best practices relevant to the development of offshore wind energy. Contact: Jennifer Nelson.
 - c. UNIVERSITY OF CALIFORNIA, LOS ANGELES. Proposed resolution approving Amendment 1 to Grant Agreement EPC-14-003 with the Regents of the University of California, on behalf of the Los Angeles campus, for a budget reallocation, no-cost time extension, and demonstration site change. The budget reallocation will move \$256,250 in equipment costs to direct labor, fringe benefits, indirect overhead, and subcontractor costs, and the project term will increase by 9 months. (EPIC funding) Contact: Kevin Uy.
 - d. UNIVERSITY OF CALIFORNIA, IRVINE. Proposed resolution approving a \$4,999 purchase order with The Regents of the University of California, on behalf of UC Irvine's Advanced Power and Energy Program, to co-sponsor the 2018 International Colloquium on Environmentally Preferred Advanced Power Generation (ICEPAG), and to approve use of the California Energy Commission logo in co-sponsorship advertisements. The ICEPAG Microgrid Global Summit will take place March 27-29, 2018 at the UC Irvine campus. The co-sponsorship was approved in the Research & Development Division's 2017-18 workplans. (EPIC funding) Contact: Mike Gravely.
 - e. GLINT PHOTONICS, INC. Proposed resolution approving Amendment 2 to Grant Agreement EPC-14-040 with Glint Photonics, Inc. for a budget

reallocation. The cumulative budget reallocation is \$259,198, and approximately 26 percent of the overall budget. This budget reallocation is necessary to reflect the current technology development strategy and update the distribution of expenses between the Energy Commission funding total and match funds. The project increased the match share by 150 percent, for a total match contribution of \$2,500,000. (EPIC funding) Contact: Silvia Palma-Rojas.

- f. **ALLIANCE TO SAVE ENERGY.** Proposed resolution approving Agreement 150-17-009 with Alliance to Save Energy for a \$25,000 contract to renew the Energy Commission's membership for one year. Membership allows Energy Commission staff to meet with key policy and decision makers and officials from over 100 organizations to advance energy efficiency through unique and effective policy, market transformation, education, communications, and research and technology initiatives. These meetings provide a forum for exchanging information, ideas, and resources. (ERPA funding) Contact: Rachel Grant Kiley.
2. **ENERGY COMMISSION COMMITTEE APPOINTMENTS.** Possible approval of appointments to the Energy Commission's Standing Committees. Contact: Kourtney Vaccaro. (Staff Presentation: 5 minutes)
 - a. **COMPLAINT AGAINST THE STOCKTON PORT DISTRICT FOR NONCOMPLIANCE WITH THE RENEWABLES PORTFOLIO STANDARD (18-RPS-01).** Consideration and possible adoption of an order establishing a committee to preside over the Complaint by the Energy Commission Executive Director against the Stockton Port District for noncompliance with the RPS Program proceeding.
3. **CALIFORNIA ENERGY DEMAND 2018-2030, REVISED ELECTRICITY FORECAST.** Proposed resolution approving California Energy Demand 2018-2030, Revised Forecast. The staff report presents baseline forecasts of natural gas and electricity consumption and peak demand for California and for utility planning areas within the state. The report also includes estimates of additional achievable energy efficiency savings and photovoltaic adoption and provides options for managed electricity forecasts for resource planning. The adopted forecast will be used in a number of planning proceedings, including the California Independent System Operator's transmission planning and the California Public Utilities Commission's integrated resource and distributed resource planning. Contact: Chris Kavalec. (Staff presentation: 15 minutes)
4. **2017 INTEGRATED ENERGY POLICY REPORT.** Proposed resolution approving the "2017 Integrated Energy Policy Report" (CEC-100-2017-001-CMF). Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the Energy Commission to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors, and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301(a)). The Energy Commission prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report. Contact: Heather Raitt. (Staff Presentation: 15 minutes)
5. **APPROVAL OF DISADVANTAGED COMMUNITY ADVISORY GROUP (DACAG) MEMBERSHIP.** Proposed resolution approving membership in the DACAG. Senate Bill 350 (SB 350) (De León, Chapter 547, Statutes of 2015) requires the California Public Utilities Commission and the Energy Commission to establish a disadvantaged community advisory group consisting of representatives from disadvantaged communities identified

pursuant to Section 39711 of the Health and Safety Code. The DACAG will review and provide advice on proposed clean energy and pollution reduction programs and determine whether those proposed programs will be effective and useful in disadvantaged communities. The DACAG will be comprised of 10 members selected jointly by two Commissioners from the Energy Commission and two commissioners from the California Public Utilities Commission. Contact: Alana Mathews. (Staff Presentation: 5 minutes)

6. **PROPOSED ADOPTION OF ADDITIONS TO AND MODIFICATIONS OF TITLE 20 DATA COLLECTION REGULATIONS.** Proposed resolution adopting regulations to implement data collection and designation of confidential information found in California Code of Regulations, Title 20, Sections 1302, 1304, 1306, 1308, 1314, 1344, 1353, and 2505. The proposed action would clarify existing regulations, require collection of natural gas, interconnection, electricity and natural gas consumption data, and provide for designation of automatically confidential data. Contact: Malachi Weng-Gutierrez. (Staff presentation: 10 minutes)
7. **EXECUTIVE DIRECTOR AUTHORITY TO APPROVE BUDGET REALLOCATIONS.** Proposed resolution that supersedes Resolution No. 13-1219-1a to add authority for the Executive Director or his or her designee to approve budget reallocations. Contact: Rachel Grant Kiley. (Staff Presentation: 5 minutes)
8. **CITY OF BAKERSFIELD.** Proposed resolution approving Agreement 004-17-ECD with the City of Bakersfield for a \$3,000,000 loan at one percent interest to upgrade 15,573 high pressure sodium light fixtures to light emitting diode fixtures city-wide. The project will save the city approximately 4,647,953 kWh of electricity, and approximately \$665,514 in utility costs annually. Total project cost is estimated to be \$4,405,075. The simple payback of the loan is 4.5 years. (ECAA funded) Contact: David Michel. (Staff presentation: 5 minutes)
9. **MERCED COMMUNITY COLLEGE DISTRICT.** Proposed resolution approving Agreement 004-17-ECG with Merced Community College District for a \$1,627,600 loan at zero percent interest to construct a ground-mounted/parking lot canopy solar photovoltaic (PV) electric system at its Los Banos campus. The installed PV panels will total 525.1 DCkW and will generate approximately 668,000 kWh of electricity per year. This system will save the district \$88,006 per year. The simple payback period of the loan is 18.5 years. The total cost for the project is \$1,627,600. (ECAA-Ed funded) Contact: Barry McLeod. (Staff Presentation: 5 minutes)
10. **LIGHT DUTY VEHICLE HYDROGEN REFUELING INFRASTRUCTURE OPERATIONS AND MAINTENANCE SUPPORT, GFO-17-601.** This solicitation sought proposals to provide Operations and Maintenance (O&M) support funding for publicly accessible hydrogen refueling stations that did not receive O&M support or received a portion of the potential \$300,000 in O&M support funding under PON-13-607, Hydrogen Refueling Infrastructure. Funding recipients will collect and report data on station equipment, operations, and utilization. Stations will serve the growing number of fuel cell electric vehicles deployed in California. (ARFVTP funding) Contact: Christopher Jenks. (Staff presentation: 5 minutes)
 - a. **ONTARIO CNG STATION, INC.** Proposed resolution approving Agreement ARV-17-020 with Ontario CNG Station, Inc., for a \$300,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 1850 East Holt Blvd, Ontario, CA 91761.

- b. AIR LIQUIDE ADVANCED TECHNOLOGIES U.S. LLC. Proposed resolution approving Agreement ARV-17-021 with Air Liquide Advanced Technologies U.S. LLC for a \$165,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 3731 East La Palma Avenue, Anaheim, CA 92806.
- c. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-022 with FirstElement Fuel Inc. for an \$80,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 2855 Winchester Blvd., Campbell, CA 95008.
- d. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-023 with FirstElement Fuel Inc. for a \$66,667 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 2050 Harbor Blvd., Costa Mesa, CA 92627.
- e. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-024 with FirstElement Fuel Inc. for an \$80,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 391 West A Street, Hayward, CA 94541.
- f. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-025 with FirstElement Fuel Inc. for a \$170,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 3060 Carmel Valley Road, San Diego, CA 92130 (known as the Del Mar station).
- g. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-026 with FirstElement Fuel Inc. for a \$300,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 41700 Grimmer Blvd., Fremont, CA 94538.
- h. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-027 with FirstElement Fuel Inc. for a \$145,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 5700 Hollywood Blvd, Los Angeles, CA 90028.
- i. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-028 with FirstElement Fuel Inc. for a \$66,667 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 550 Foothill Blvd., La Canada Flintridge, CA 91011.
- j. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-029 with FirstElement Fuel Inc. for an \$80,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 20731 Lake Forest Drive, Lake Forest, CA 92630.
- k. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-030 with FirstElement Fuel Inc. for a \$145,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 570 Redwood Highway, Mill Valley, CA 94941.
- l. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-031 with FirstElement Fuel Inc. for a \$155,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 8126 Lincoln Blvd., Los Angeles, CA 90045 (known as the Playa del Rey station).
- m. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-032 with FirstElement Fuel Inc. for an \$80,000 grant to cover operation and

maintenance costs of the existing hydrogen refueling station located at 150 South La Cumbre Road, Santa Barbara, CA 93105.

- n. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-033 with FirstElement Fuel Inc. for an \$80,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 12600 Saratoga Avenue, Saratoga, CA 95070.
 - o. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-034 with FirstElement Fuel Inc. for a \$300,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 1200 Fair Oaks Avenue, South Pasadena, CA 91030.
 - p. FIRSTELEMENT FUEL, INC. Proposed resolution approving Agreement ARV-17-035 with FirstElement Fuel Inc. for a \$145,000 grant to cover operation and maintenance costs of the existing hydrogen refueling station located at 12105 Donner Pass Road, Truckee, CA 96161.
11. BIOGAS ENERGY INC. Proposed resolution approving Agreement FRD-17-001 with Biogas Energy Inc. for a \$5,700,000 grant to install and demonstrate an innovative fast pyrolysis technology to produce bio-oil from wood waste at pilot scale. The Biogas Energy pyrolysis technology aims to establish a new bio-oil industry in California by making small, midsize, and large bio-oil production possible in a distributed or centralized design. Research will also verify the economic scale-up feasibility for the modular system and determine the effectiveness of the production facility to be located near the feedstock source. (CCTRD funding) Contact: Pilar Magana. (Staff presentation: 5 minutes)
12. DOE-LAWRENCE BERKELEY NATIONAL LABORATORY. Proposed resolution approving Agreement FRD-17-004 with the U.S. Department of Energy's (DOE) Lawrence Berkeley National Laboratory for a \$3,000,000 grant to develop and demonstrate a biomass conversion technology with commercial scale production potential that can efficiently and cost-effectively transform California waste feedstocks into an advanced biofuel and reduce GHG emissions in transportation fuels. The proposed project leverages \$120,000,000 from the DOE. (CCTRD funding) Contact: Pilar Magana. (Staff presentation: 5 minutes)
13. WEST BIOFUELS, LLC. Proposed resolution approving Agreement FRD-17-005 with West Biofuels, LLC for a \$3,000,000 grant to conduct research on and demonstrate an advanced thermochemical fast pyrolysis system that will convert biomass to a bio-oil intermediate fuel to produce a minimum of 50,000 gallons of bio-oil that can be upgraded and refined to low-carbon jet fuel. (CCTRD funding) Contact: Pilar Magana. (Staff presentation: 5 minutes)
14. DISCUSSION OF ENERGY COMMISSION PROGRESS RE: IMPLEMENTATION OF THE CLEAN ENERGY AND POLLUTION REDUCTION ACT OF 2015 (SB 350). Staff presentation regarding progress on implementation of SB 350 requirements, including administration of the California Renewables Portfolio Standard program, review of local publicly owned electric utility integrated resource plans, revision of Commission data collection regulations to improve demand forecasting, identification of progress in meeting the bill's goals of 50% renewables procurement and doubling of energy efficiency, implementation of widespread transportation electrification, and preparation and publication of the study required by Public Resources Code section 25327 regarding barriers for low-income customers to energy efficiency, weatherization, and renewable energy investments. Contact: Michael Sokol. (Staff presentation: 5 minutes)

15. **Minutes:** Possible approval of the January 17, 2018 Business Meeting minutes.
16. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
17. **Chief Counsel's Report:** Pursuant to Government Code section 11126(e), the Energy Commission may adjourn to closed session with its legal counsel to discuss any of the following matters to which the Energy Commission is a party:
 - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository), (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); State of California v. United States Department of Energy* (9th Cir. Docket No. 09-71014).
 - b. *Communities for a Better Environment and Center for Biological Diversity v. Energy Commission* (Court of Appeal, First Appellate District, # A141299).
 - c. *Energy Commission v. Electricore, Inc. and ZeroTruck* (Sacramento County Superior Court #34-2016-00204586)
 - d. *Helping Hand Tools and Robert Simpson v. Energy Commission (San Francisco Superior Court Case # CPF-17-515576)*
 - e. *National Electrical Manufacturers v. Energy Commission (Federal District Court, Eastern District of California, #2:17-cv-01625)*
 - f. *Energy Commission v. United States Department of Energy* (Federal District Court, Northern District of California, #17-cv-03404).
 - g. *City of Los Angeles, acting by and through, its Department of Water and Power v. Energy Commission* (Los Angeles Superior Court, Case No. BS171477).

Pursuant to Government Code section 11126(e), the Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the Commission, which might include:

 - a. Claims filed at, and rejected by, the Victim Compensation and Government Claims Board against a number of defendants including the Energy Commission relating to the gas leak at Aliso Canyon.
 - b. The U.S. Department of Energy's actions to delay effective dates and failures to complete certain energy conservation standards and test procedures for appliances.
 - c. The licensing process for a nuclear waste storage repository at Yucca Mountain, Nevada.
 - d. Alternative and Renewable Fuel and Vehicle Technology Program grant ARV-10-016 with the City of San Jose, including its subcontractor JUM Global, and the lawsuit between the two (5:16-cv-01462-HRL, United States District Court, Northern District of California [San Jose]).
18. **Executive Director's Report.**
19. **Public Adviser's Report.**

20. **Public Comment:** People may speak up to three minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made (Government Code §§11128.5, 11129).
