

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

In the matter of,)	Docket No. 09-SOPR-1
)	
)	NOTICE OF AVAILABILITY AND
Developing Regulations for Solar Offset)	REQUEST FOR COMMENTS
Program)	RE: Solar Offset Program Pre-
_____)	Rulemaking Draft Regulations

**Notice of Availability and
Request for Comments on the
Solar Offset Program Pre-Rulemaking
Draft Regulations
CEC-300-2010-009-SF**

The California Energy Commission is requesting comments on the *Solar Offset Program Pre-Rulemaking Draft Regulations* staff report. This staff report presents proposed draft regulations to be considered as part of the pre-rulemaking process for both the Homebuyer Solar Option and Solar Offset Program. Comments will be considered for incorporation into the regulations that will be submitted to the Office of Administrative Law.

This draft report is available free from the Energy Commission's website at:

www.energy.ca.gov/2009-SOPR-1/documents/index.html

Background

Senate Bill 1 (Murray, Chapter 132, Statutes of 2006) is the culmination of the Governor's Million Solar Roofs Initiative, expanding upon the California Solar Initiative and the New Solar Homes Partnership program. Senate Bill 1 requires the Energy Commission to establish eligibility criteria, conditions for incentives and rating standards for projects applying for ratepayer-funded incentives for solar energy (photovoltaic) systems. Senate Bill 1 also requires the Energy Commission to establish a solar offset program that allows developers or sellers of production homes to forgo certain requirements. These latter requirements are set forth in Public Resources Code section 25405.5, which provide that:

- A seller of production homes is required to offer the option of a solar energy system to all customers negotiating the purchase of a new production home

constructed on land for which an application for a tentative subdivision map has been deemed complete on or after January 1, 2011.

- The Energy Commission is required to develop an offset program that allows a developer or seller of production homes to forgo the solar as an option offer requirement on a project by installing solar energy systems generating specified amounts of electricity on other projects.

On January 13, 2010, the Energy Commission approved an Order Instituting Rulemaking (Docket # 09-SOPR-1) to adopt guidelines, definitions, and other provisions necessary for the administration of the homebuyer solar option and solar offset program. This rulemaking will develop and adopt regulations that are necessary to clarify ambiguities in statute and create certainty and transparency in the administration of the program.

In May 2010, staff developed a paper titled *Solar Offset Program Pre-Rulemaking*, which presented issues and possible alternatives that were raised by Energy Commission staff and stakeholders. Staff conducted a workshop on May 20, 2010, to discuss the issues and proposed solutions outlined in the staff paper and to seek comments from interested stakeholders. Public comments were received and were considered when developing the draft regulations.

Written Comments

Written comments must be submitted by 5 p.m., September 30, 2010. Please include the docket number 09-SOPR-1 and indicate *Solar Offset Program Pre-Rulemaking Draft Regulations* on the subject line or first paragraph of your comments. Please hand deliver or mail an original copy to:

California Energy Commission
RE: **Docket No. 09-SOPR-1**
Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814-5504

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

Public Participation

Members of the public who have technical questions regarding this notice may contact Sherrill Neidich, Renewable Energy Office, by phone at (916) 651-1463 or by e-mail at [sneidich@energy.state.ca.us]. News media should direct inquiries to the Media and Public Communications Office at (916) 654-4989 or by email at [mediaoffice@energy.state.ca.us].

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