

STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Business Meeting Minutes

of

May 20, 2003

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The meeting was called to order by Acting Chairman Rosenfeld at 10:05 a.m.

The Pledge of Allegiance was not given.

William J. Keese	Absent
Robert Pernell	Absent
Arthur Rosenfeld	Present
James D. Boyd	Present
John L. Geesman	Present
Margaret Kim, Ex-Officio	Absent

Prior to the start of the meeting, on the pretense of giving an Bond briefing, Daryl Mills was asked to come to the front. As he started to give the update, Acting Chairman Rosenfeld interrupted him to tell him that for all his hard work on the bonds, he was being given a Proclamation by the Commission. Acting Chairman Rosenfeld read the Proclamation into the record and thanked Daryl for his contributions to the Commission and the special work he did on achieving \$30 million dollars in Bonds sales.

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 discussed and moved to later on the agenda)
 - a. COMMISSION CO-SPONSORSHIP. Possible approval of a co-sponsorship request for which the Energy Commission might provide the participation of key speakers, provide guidance in the selection of speakers, permit the use of its name, plus staff time for a speaker and include promotional materials with regularly scheduled mailings.
 - Saving Electricity In a Hurry: A Proposal for a New IEA Activity Conference, June 19-20, 2003, Paris, France.

Commissioner Geesman moved and Commissioner Boyd seconded approval of the Consent Calendar. The vote was unanimous. (3-0)

2. MALBURG GENERATING STATION. Possible approval of the Presiding Member's Proposed Decision (PMPD) recommending certification of the proposed 134-megawatt Malburg Generating Station sponsored by the city of Vernon. Docket No. 01-AFC-25

Commissioner Boyd moved and Commissioner Geesman seconded approval of the Presiding Member's Proposed Decision, along with Errata, recommending certification of the Malburg Generating Station. The vote was unanimous. (3-0)

3. ENERGY CONSERVATION ASSISTANCE ACT ACCOUNT. Possible approval of a \$250,000 loan to the county of Mendocino to install energy efficient lights and HVAC upgrades in the County buildings. This project is estimated to save about \$29,875 annually in reduced energy costs and has a simple payback of 8.4 years. (Bond funded)

Commissioner Geesman moved and Commissioner Boyd seconded approval of a loan to the county of Mendocino. The vote was unanimous. (3-0)

4. STATE FLEET FUEL EFFICIENCY REPORT. Possible adoption of the California State Fleet Fuel Efficiency Report, Volume 1 as required by Senate Bill 1170 (Sher, Chapter 912, Statutes 2001).

Commissioner Boyd moved and Commissioner Geesman seconded approval of the State Fuel Efficiency Report. The vote was unanimous. (3-0)

5. DAVIS ENERGY GROUP, INC. Possible approval of Contract 500-02-026 for \$279,083 to integrate a night cooling technology with the air handler and distribution system common to most households. Products developed in the contract will reduce peak loads attributable to residential air conditioning in California. (PIER funded)

Commissioner Geesman moved and Commissioner Boyd seconded approval of Contract 500-02-026. The vote was unanimous. (3-0)

6. NATIONAL ENERGY TECHNOLOGY LABORATORY (USDOE). Possible approval of Contract 500-02-025 for \$999,696 to demonstrate an Advanced Vortex Combustor that produces 3-ppmv or less NO_x emissions without after treatment. (PIER-EPAG funded)

Commissioner Geesman moved and Commissioner Boyd seconded approval of Contract 500-02-025. The vote was unanimous. (3-0)

7. Minutes

Commissioner Boyd moved and Commissioner Geesman seconded approval of Minutes from April 30, 2003. The vote was unanimous. (3-0)

8. Commission Committee and Oversight

No reports were received.

9. Chief Counsel's Report

Chief Counsel Bill Chamberlain reported that the litigation challenging the Commission's certificate for the Metcalf powerplant is now over. The California Supreme Court denied a petition for review of an appellate court decision that upheld the constitutionality of Section 25531. That means that there is now a published, citeable legal precedent that judicial review of Energy Commission power facility certificates is exclusively in the California Supreme Court. Mr. Chamberlain commended Jonathan Bles for his work on the Metcalf litigation and other matters. Mr. Chamberlain also stated that litigation concerning the Tracy powerplant should end soon, as the Applicant and the plaintiff have reached a settlement.

10. Executive Director's Report

Executive Director Bob Therkelsen informed the Commission that the Budget process is still continuing. He indicated that the Commission's budget would be heard in the Assembly on Monday and next week in the Senate. Mr. Therkelsen also informed the Commissioners that as they were aware, the Commission had been asked to submit a layoff plan to the Governor, which has been done. Mr. Therkelsen also reported that he has the staff regarding what the layoff process entails and that soon the Commission will begin working on Workplans.

11. Public Adviser's Report

No report was given.

12. Public Comment

No comments were received.

The meeting was adjourned at 10:35 a.m.

BETTY A. McCANN
Secretary to the Commission