

BUSINESS MEETING
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Business Meeting)
)
_____)

CALIFORNIA ENERGY COMMISSION
HEARING ROOM A
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

WEDNESDAY, DECEMBER 3, 2003
10:04 A.M.

Reported by:
Alan Meade
Contract No. 150-01-006

COMMISSIONERS PRESENT

Robert Pernel, Acting Chairman

Arthur H. Rosenfeld

John L. Geesman

STAFF PRESENT

William Chamberlain, Chief Counsel

Robert Therkelsen, Executive Director

Betty McCann, Secretariat

Bob Eller

Caryn Holmes

Elizabeth Shirakh

Martha Brook

Leigh Stamets

Prab Sethi

PUBLIC ADVISER

Margret J. Kim

ALSO PRESENT

Scott A. Galati, Attorney
Galati and Blek, LLP
representing Roseville Electric

Robert Hren, REP Project Manager
Roseville Electric

Andrea Grenier, Environmental Manager

Doug Davy
TetraTech/Foster Wheeler

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P R O C E E D I N G S

10:04 a.m.

UNIDENTIFIED SPEAKER: -- will assist you.

OPERATOR: Thank you for calling. May I have your pass code, please?

MR. TAYLOR: Business meeting. My name is Bill Taylor.

OPERATOR: -- with the open line then, and actually no one has joined in the conference at this point.

MR. TAYLOR: Thank you very much.

OPERATOR: You're wel --

ACTING CHAIRMAN PERNELL: I'd like to call this meeting to order. Commissioner Rosenfeld, would you lead us in the pledge, please.

(Whereupon, the Pledge of Allegiance was recited in unison.)

ACTING CHAIRMAN PERNELL: Good morning. Chairman Keese and Commissioner Boyd is unable to be here. They're away on Commission business.

The first item on the agenda is the consent calendar. These items have been before Committee. Commissioners, what is your pleasure?

COMMISSIONER ROSENFELD: I move the consent item.

1 COMMISSIONER GEESMAN: Second.

2 ACTING CHAIRMAN PERNELL: It's been moved
3 and seconded that we approve the consent calendar.

4 All those in favor?

5 (Ayes.)

6 ACTING CHAIRMAN PERNELL: Opposed? Ayes
7 have it.

8 Item number 2, Roseville Energy Park.
9 Commission consideration of the Executive Director's
10 data adequacy recommendations for the Roseville Energy
11 Park application for certification. This is a 12-
12 month, 120 to 125 megawatt, natural-gas fired, combined
13 cycle power plant located in the City of Roseville.

14 Mr. Eller.

15 MR. ELLER: Good morning, Commissioner. On
16 October 30th Roseville Electric filed their
17 application. Staff has reviewed that application and
18 on November the 26th the Executive Director issued his
19 determination that the application was inadequate.

20 We found minor deficiencies in 11 of the 23
21 technical disciplines we reviewed. These included air
22 quality, biological resources, cultural resources,
23 paleontological resources, the project overview, socio
24 and economics, soils, traffic and transportation and
25 transmission system engineering, visual resources and

1 water resources.

2 Staff recommends the Commission adopt the
3 inadequacies identified in the Executive Director's
4 November 26th memo.

5 ACTING CHAIRMAN PERNELL: All right, can we
6 hear from the applicant? Please state your name and
7 your team.

8 MR. GALATI: Good morning, Commissioners.
9 My name is Scott Galati and I'm proud to represent
10 Roseville Electric on this very important public power
11 project.

12 First and foremost we'd like to tell you
13 this is not the Enron project; this is the Roseville
14 Energy Park, and it is a project proposed by Roseville
15 Electric to serve its needs.

16 I'd like to introduce to you at this time,
17 to my left, the Project Manager for Roseville Electric,
18 Bob Hren. We are supported by the very capable team
19 led by Andrea Grenier. She's our Environmental
20 Manager. And we also have Doug Davy with
21 TetraTech/Foster Wheeler, who is in charge of preparing
22 all of the documents that the Commission Staff
23 requests.

24 We'd like to think at this time that working
25 with Bob Eller has been helpful to us. We have

1 understood what issues need to be resolved. And, in
2 fact, we think we've resolved many of them as we sit
3 here today.

4 We look forward -- we accept the staff's
5 recommendation of data inadequacy at this time and we
6 look forward to being here in a couple of weeks to tell
7 you that we are data adequate.

8 Thank you.

9 ACTING CHAIRMAN PERNELL: So your
10 interpretation is that by December 17th you will be,
11 you will have the necessary documentation to become
12 data adequate?

13 MR. GALATI: Yeah, we believe so.

14 ACTING CHAIRMAN PERNELL: All right.

15 Anything else from staff?

16 MR. ELLER: No, sir.

17 COMMISSIONER GEESMAN: I have a question,
18 Mr. Chairman.

19 ACTING CHAIRMAN PERNELL: Commissioner
20 Geesman.

21 COMMISSIONER GEESMAN: Timing. Let's say we
22 determine them to be data inadequate today. It takes
23 them two weeks before they're data adequate. Do we
24 then need to take action determining that they are data
25 adequate at our December 17th meeting?

1 MR. ELLER: Yes.

2 COMMISSIONER GEESMAN: Okay. And you won't
3 know if you're data adequate in time to properly notice
4 the December 17th meeting because we have to send those
5 notices out, I would guess, in the next week or so.

6 MR. THERKELSEN: Good morning,
7 Commissioners. Bob Therkelsen, the Executive Director.

8 My understanding from discussions with staff
9 is that the applicant anticipates submitting the
10 information this week, and probably the very first of
11 next week. I think there's a probability that our
12 staff will complete their review by December the 8th of
13 the material.

14 That will then allow us, and if that's the
15 case, and given the fact the deficiencies are
16 relatively minor, we think there's a probability, and
17 the probability is good, that they will be able to be
18 found data adequate before the December 17th business
19 meeting.

20 COMMISSIONER GEESMAN: Okay, so you'd then,
21 at a minimum, just put a placeholder in the agenda so
22 that we could be prepared to take action on the 17th?

23 ACTING CHAIRMAN PERNELL: Could we not move
24 this, as a Commission, move it to December 17th, and
25 would it be noticed then? We can't do it that way?

1 MR. THERKELSEN: No. The Commission needs
2 to make a determination within the 45-day period. And
3 that's the determination that you would make today.
4 That establishes specifically the list of deficiencies
5 the applicant has to meet. And then when they correct
6 that, the Commission makes another determination on
7 adequacy, then determines when the filing date is
8 established.

9 So the Commission needs to make a
10 determination today accepting or modifying the letter
11 that I submitted to you. And then make another
12 determination on the 17th of all the information
13 submitted.

14 COMMISSIONER GEESMAN: Mr. Chairman, I will
15 move the staff recommendation. And I look forward to
16 revisiting this as soon as we can at a future business
17 meeting.

18 COMMISSIONER ROSENFELD: Second.

19 ACTING CHAIRMAN PERNELL: All right, it's
20 been moved and seconded, the Executive Director's
21 recommendation of data inadequacy for the Roseville
22 Power Plant.

23 All those in favor?

24 (Ayes.)

25 ACTING CHAIRMAN PERNELL: Opposed? The ayes

1 have it. That also takes care of item number 3. Thank
2 you, gentlemen; we look forward to seeing you on the
3 17th.

4 MR. GALATI: Thank you.

5 MR. HREN: Thank you.

6 ACTING CHAIRMAN PERNELL: All right, item
7 number 4, Order Instituting Rulemaking. Consideration
8 of possible adoption of an order instituting rulemaking
9 to adopt regulations implementing the replacement tire
10 efficiency program.

11 And we have Ms. Holmes.

12 MS. HOLMES: Thank you very much. This item
13 is an order instituting rulemaking that would begin the
14 process of crafting regulations to govern the tire
15 efficiency program which was instituted pursuant to AB-
16 844.

17 The legislation requires the Commission to
18 complete a series of tasks related to implementing the
19 program, some of which will require regulations.

20 For example, the Commission needs to develop
21 a database of the efficiency of a representative sample
22 of tires sold in the state based on test procedures.
23 We must also adopt a rating system and some reporting
24 requirements for tire manufacturers.

25 These tasks need to be done by the middle of

1 2006. And a year later we need to have completed
2 implementing a replacement tire efficiency program
3 which would include minimum efficiency requirements for
4 replacement tires. And also some consumer information
5 requirements.

6 Several people have asked why we're asking
7 the Commission to adopt an OIR in light of the
8 executive order suspending the formal rulemakings. In
9 this project we're still a long way away from beginning
10 the formal APA process, and we felt that we could do
11 some valuable groundwork with the interested parties by
12 beginning to hold workshops at this time.

13 I've talked with several parties, including
14 NRDC and the Rubber Manufacturers Association, and they
15 appear to concur that we ought to begin that groundwork
16 now. This OIR would allow us to do that.

17 So we would encourage that the Commission
18 adopt the OIR today.

19 ACTING CHAIRMAN PERNELL: All right,
20 Commissioner Rosenfeld.

21 COMMISSIONER ROSENFELD: I'm very --

22 ACTING CHAIRMAN PERNELL: Is that a motion?

23 (Laughter.)

24 COMMISSIONER ROSENFELD: I'd move item 4.

25 COMMISSIONER GEESMAN: Second that.

1 ACTING CHAIRMAN PERNELL: So, moved and
2 seconded. And on the question, just my understanding
3 is this is not a regulation, this is just starting a
4 rulemaking. So, thinking of the Governor's executive
5 order to review all regulations, it doesn't apply in
6 this case because what we're doing is just opening up a
7 rulemaking.

8 MS. HOLMES: This is preliminary to that;
9 that's correct.

10 ACTING CHAIRMAN PERNELL: Okay. Anything
11 else on the question? It's been moved and seconded.

12 All those in favor?

13 (Ayes.)

14 ACTING CHAIRMAN PERNELL: Opposed? Ayes
15 have it. Thank you. That should be a very interesting
16 rulemaking.

17 Item number 5. Los Angeles Unified School
18 District. Possible approval of a loan to the Los
19 Angeles Unified School District for \$1,362,000 to
20 upgrade lighting, install lighting and HVAC controls,
21 and install solar window film. This project is
22 estimated to save about \$263,000 annually, and has a
23 simple payback of 5.2 years. This also came before the
24 Efficiency Committee.

25 Commissioner Rosenfeld.

1 COMMISSIONER ROSENFELD: -- to hear from Liz
2 Shirakh.

3 ACTING CHAIRMAN PERNELL: Okay.

4 MS. SHIRAKH: Okay. Good morning; I'm Liz
5 Shirakh. Today for your consideration I have a
6 proposed loan for \$1,362,000 with the Los Angeles
7 Unified School District. The District has requested
8 this loan for energy efficient lighting retrofits,
9 lighting and HVAC controls, and window film.

10 The proposed energy saving projects will
11 save the District about \$263,000 annually. And with a
12 simple payback of 5.2 years.

13 The Commission Staff has reviewed the
14 projects and believe that they're both technically and
15 economically feasible. Meets the loan program
16 requirements. And recommends approval for the loan.
17 And I'll be happy to answer any questions if you have
18 them.

19 ACTING CHAIRMAN PERNELL: Any questions from
20 the board?

21 COMMISSIONER ROSENFELD: I'm very
22 comfortable. I continue to be amazed at the infinite
23 well of projects out there with three, four, five year
24 paybacks that you think would have been done five years
25 ago and haven't. But, let's get on with it.

1 ACTING CHAIRMAN PERNELL: All right, it's
2 been moved by Commissioner Rosenfeld.

3 COMMISSIONER GEESMAN: Second.

4 ACTING CHAIRMAN PERNELL: Second by
5 Commissioner Geesman.

6 All those in favor?

7 (Ayes.)

8 ACTING CHAIRMAN PERNELL: Opposed? Ayes
9 have it. Thank you very much.

10 MS. SHIRAKH: Thank you.

11 ACTING CHAIRMAN PERNELL: Item number 6,
12 Portland Energy Conservation, Inc. Possible approval
13 of contract 500-02-030, amendment 1, for \$85,000 for
14 additional collaborative research within the California
15 Commissioning Collaborative.

16 Ms. Brooks.

17 MS. BROOK: Good morning; I'm Martha Brook
18 with the PIER buildings program. I'm here today to ask
19 your approval to amend a collaborative research
20 agreement with the Portland Energy Conservation,
21 Incorporated.

22 Portland Energy Conservation is a nonprofit
23 organization and they are currently administering the
24 California Commissioning Collaborative. The original
25 agreement includes developing a test plan and

1 completing initial testing of the Title 24 equipment
2 acceptance requirements that are part of the 2005
3 standards.

4 This summer Title 24 Staff and the PIER
5 buildings program identified additional support work
6 that is important to increase the likely success of
7 these acceptance requirements. This amendment will
8 fund the development of sample test procedures and
9 explanatory information for each test procedure. This
10 information will be included in the special supplement
11 to the 2005 nonresidential manual.

12 This amendment will also provide a small
13 stipend for each of the technical reviewers who, under
14 the original agreement, will be reviewing and providing
15 feedback to the PIER buildings program on the research
16 that we funded in the area of building commissioning
17 and diagnostics.

18 At this time I'd like to answer any
19 questions that you might have.

20 ACTING CHAIRMAN PERNELL: Thank you.
21 Questions from the board? Hearing none. This is a
22 PIER funded project. Commissioner Rosenfeld.

23 COMMISSIONER ROSENFELD: I move it.

24 COMMISSIONER GEESMAN: Second.

25 ACTING CHAIRMAN PERNELL: It's been moved

1 and seconded that we adopt staff recommendation.

2 All those in favor?

3 (Ayes.)

4 ACTING CHAIRMAN PERNELL: Opposed? Ayes
5 have it. Thank you.

6 Item number 7. University of California
7 Davis. Possible approval of contract 300-97-009,
8 amendment 7, to add \$94,000 and to extend the contract
9 from December 31, '03 to December 31, '04.

10 This contract will continue to provide
11 student interns who provide support for electric and
12 natural gas forecasting and demand analysis, as well as
13 natural gas storage analysis.

14 MR. STAMETS: Yes, I'm Leigh Stamets, the
15 contract manager. And this amendment is to continue
16 our work with UC Davis students in continuing their
17 training and gaining contributions from their support.
18 And I ask for your approval.

19 COMMISSIONER GEESMAN: I'll move the item.

20 ACTING CHAIRMAN PERNELL: Okay.

21 COMMISSIONER ROSENFELD: I second, with
22 pleasure.

23 ACTING CHAIRMAN PERNELL: Moved and seconded
24 on staff recommendation for item number 7.

25 All those in favor?

1 (Ayes.)

2 ACTING CHAIRMAN PERNELL: Opposed? The ayes
3 have it. Thank you very much.

4 Item number 8 has been moved to the December
5 17th business meeting.

6 Item number 9, Community Power Corporation.
7 Possible approval of contract 500-03-020 for \$725,000
8 to develop and demonstrate a biomass fueled, grid-
9 connected, 50 kilowatt, small modular, bio-power system
10 to provide utility grade power and heat. This is a
11 PIER project.

12 MR. SETHI: Good morning.

13 ACTING CHAIRMAN PERNELL: Good morning, how
14 are you?

15 MR. SETHI: Fine. I'm Prab Sethi, Project
16 Manager from Technology System Division. Requesting
17 approval of a contract with the Community Power
18 Corporation to develop and demonstrate a 50 kilowatt
19 small modular, grid-connected biopower system, which
20 includes a biomass gasifier, and will provide a
21 combined heat and power.

22 Recently there have been major forest fires
23 in southern California. This project will address the
24 use of forest biomass residue to reduce the risk and
25 damage of these fires.

1 The biopower system will be located at the
2 opportunity center in Mt. Shasta, and will use wood
3 waste from the opportunity center, as well as the
4 forest biomass residue from that area. And it will
5 also meet ARB's 2007 emission standards.

6 The Energy Commission has previously funded
7 a smaller 12.5 kilowatt small modular biopower system
8 which was located at the Hoopa Valley. So this project
9 is an upscaling of the previous project, which was very
10 highly successful.

11 This project does have matching funding in
12 the amount of \$420,000, which will be provided by the
13 opportunity center, the Shasta Energy Group, U.S.
14 Products Lab, U.S. Forest Service, as well as the
15 Community Power Corporation.

16 And I request approval of this item.

17 ACTING CHAIRMAN PERNELL: All right,
18 questions from the board? I do have one. So this will
19 be a distributed generation hookup. Is that PG&E's
20 territory, Shasta?

21 MR. SETHI: PG&E territory, yes.

22 ACTING CHAIRMAN PERNELL: Do you anticipate
23 any problems with the hookup to the PG&E service lines?

24 MR. SETHI: No, we don't. We actually have
25 the experience working with PG&E previously on the 12.5

1 kilowatt. We did have this project connected to the
2 grid. So, we are coming up with some better equipment,
3 so we don't see any problem, no.

4 ACTING CHAIRMAN PERNELL: Good. Sounds very
5 exciting. Any other questions?

6 COMMISSIONER ROSENFELD: I move item 9.

7 COMMISSIONER GEESMAN: Second.

8 ACTING CHAIRMAN PERNELL: It's been moved
9 and seconded that the Commission adopt staff
10 recommendation for item number 9.

11 All those in favor?

12 (Ayes.)

13 ACTING CHAIRMAN PERNELL: Opposed? The ayes
14 have it. That will be the order. Thank you.

15 MR. SETHI: Thank you very much.

16 ACTING CHAIRMAN PERNELL: Great job. All
17 right, we have item number 10 is the minutes. We had a
18 special business meeting November 12th, and we also
19 have the minutes of November 19th business meeting.
20 Commissioners, you have a copy of the minutes.

21 COMMISSIONER GEESMAN: Move approval of the
22 minutes. Can you take one motion for both of them?

23 ACTING CHAIRMAN PERNELL: Yes.

24 COMMISSIONER GEESMAN: I move approval of
25 both of them.

1 COMMISSIONER ROSENFELD: Second.

2 ACTING CHAIRMAN PERNELL: It's been moved
3 and seconded that we approve the minutes of November
4 12th and November 19th.

5 All those in favor?

6 (Ayes.)

7 ACTING CHAIRMAN PERNELL: Opposed? The ayes
8 have it.

9 And I want to take a point of personal
10 privilege to thank and commend Betty McCann for her
11 timely minutes. Let me just say, when I first got here
12 we were a little behind on the minutes, maybe a couple
13 months. And Betty has worked on that, and I want to
14 thank you for doing that and bringing us up to date.

15 Okay. Commission Committee and Oversight.
16 I do have one item I want to bring to the attention of
17 the audience. I know the Commissioners know it. That
18 is the '03 legislative summary.

19 And I've been here now four and a half, five
20 years, going on five. And this is the first time we've
21 actually had a legislative summary. And I want to
22 thank and ask Cece to come up. Cece is our OGA
23 Director.

24 I went through this and it's a great
25 document. It shows the successes we've had and what

1 we've been tracking. And, of course, Cece couldn't do
2 it without her supportive staff. And I just want to
3 take the opportunity to thank them in putting a
4 document together that a layperson like myself can
5 actually understand.

6 And so, Cece, do you want to say a few words
7 about this or -- I know I'm putting you on the spot,
8 but --

9 MS. MARTIN: That's okay. Well, I think
10 you're right, I couldn't have done this without staff.
11 And this is, I've told people, you know, I was -- we
12 usually do a report of bills, but it's pretty
13 perfunctory and it goes up on our internet site.

14 But when I was cleaning out the office I
15 noticed that historically we've put together sort of a
16 nice document that showed all the things that were
17 directly related to us, and were also related to
18 energy. And some of the policy issues that were on the
19 table.

20 I thought it might be helpful for internally
21 to the Commission, because it's a good reference to
22 know what the policy we're working under. And, you
23 know, I might go over some of the bills that have given
24 us work, or have directly affected us, if you'd like me
25 to.

1 ACTING CHAIRMAN PERNELL: Well, I think
2 we're -- I mean I'm pretty familiar with them.
3 Commissioners, is there -- the one that I noticed right
4 away had to do with Commissioner Rosenfeld's tire
5 resistant --

6 MS. MARTIN: The tire efficiency bill.

7 COMMISSIONER ROSENFELD: Low rolling
8 resistance.

9 MS. MARTIN: That's right. The --

10 COMMISSIONER ROSENFELD: -- tires.

11 ACTING CHAIRMAN PERNELL: And that is
12 actually chaptered here. So, you know, we are, as we
13 follow legislation, introduce it, and then come back,
14 you know, the Commission then begins a rulemaking. And
15 I just think the way in which all of this flows is very
16 good.

17 So, again, this is a great report. And
18 would you introduce your staff?

19 MS. MARTIN: Great, I'd love to introduce my
20 staff. Susan Aronholt, who is our Legislative Manager;
21 Michael Poe, who is our Legislative Analyst; and
22 responsible for this historic art work on the cover and
23 putting this all together is Phil Dyer, who is our
24 Secretary.

25 ACTING CHAIRMAN PERNELL: All right, I want

1 to thank all you guys.

2 COMMISSIONER GEESMAN: It's very helpful.

3 (Applause.)

4 ACTING CHAIRMAN PERNELL: Cece, do you have
5 a student?

6 MS. MARTIN: We have a student, Sharon Lais,
7 and she isn't in today or I would have brought her
8 down.

9 ACTING CHAIRMAN PERNELL: So would you give
10 her our thanks, as well?

11 MS. MARTIN: I will. Thank you.

12 ACTING CHAIRMAN PERNELL: Thank you. All
13 right, is there anything else on Commission Committee
14 and Oversight?

15 Chief Counsel's report.

16 MR. CHAMBERLAIN: I have nothing to report
17 today, Mr. Chairman.

18 ACTING CHAIRMAN PERNELL: Today is a good
19 day.

20 (Laughter.)

21 ACTING CHAIRMAN PERNELL: Okay, Executive
22 Director's report.

23 MR. THERKELSEN: You know, five years ago I
24 may have considered you a layperson, but I don't look
25 at you in that vein at all anymore.

1 (Laughter.)

2 MR. THERKELSEN: A couple of items. Last
3 month I had the opportunity to attend a Western
4 Interstate Energy Board meeting. Featured at the
5 meeting were discussions on transmission planning and
6 transmission resources throughout the west.

7 One significant portion of that meeting was
8 led by Grace Anderson, known to many folks around here
9 previously as Cynthia Praul. And she was leading a
10 team of people throughout the western United States
11 looking at what the adequacy was of our electricity
12 system and electricity supplies.

13 And I thought two things were outstanding.
14 Number one, the effort that was going on. It's the
15 first time that in the west it looked regionally at
16 what their resources are and what the future needs may
17 be.

18 But secondly the Commission's role in that
19 whole effort. Grace had a major responsibility getting
20 that effort started. Mike Jaske was one of the members
21 of the team that worked on doing that. And the report
22 is very significant in terms of its implications for
23 California because we get so much of our power from the
24 west. But, also, for the rest of the western states.

25 The other thing that was interesting in that

1 meeting were the number of references to excellent
2 Energy Commission work. The renewables staff was
3 identified a number of times and our work in terms of
4 looking at renewable resources and helping with a
5 monitoring system throughout the west. And our energy
6 efficiency staff was also identified several times for
7 their contributions.

8 So, we're recognized and appreciated not
9 only here in California, but also throughout the nation
10 and throughout the western United States.

11 Coming up on December 9th is the next
12 meeting of the energy action plan steering committee.
13 One of the things that they will be discussing is the
14 next joint meeting, which it's my understanding the
15 Energy Commission will be hosting next March.

16 And on December 15th and 16th will be a
17 meeting of staff from Oregon, Washington and California
18 to discuss the joint climate change initiative. That's
19 the initiative that was kicked off by the governors in
20 September, and is set to have a report to the governors
21 next September.

22 And while I haven't had direct
23 communications with the Schwarzenegger Administration,
24 indirect communications indicate that he's very
25 supportive of the effort and wants to see it continue.

1 So this meeting will be a steering committee, if you
2 will, to look at what's going on and how it's going to
3 be accomplished and what will be presented next year.

4 Those are the items I have to report.

5 ACTING CHAIRMAN PERNELL: Great. So it
6 sounds like we have a coordination going with the other
7 western states as related to transmission, global
8 climate change and some other regional issues.

9 MR. THERKELSEN: You name it. We're
10 involved in it if it's dealing with energy throughout
11 the west because of the significant impact it has on
12 California and the relationship that energy has
13 throughout the western United States.

14 ACTING CHAIRMAN PERNELL: Good. Thank you.
15 Any questions for the Executive Director? Hearing
16 none, Public Adviser's report.

17 PUBLIC ADVISER KIM: Just very briefly. I'd
18 like to highlight some of the events taking place
19 between now and the next business meeting.

20 Tomorrow, December 4th, there'll be Energy
21 Commission and Department of Conservation's Division of
22 Oil, Gas and Geothermal Resources will be jointly
23 conducting a stakeholders workshop on improving the
24 natural gas well permitting process in northern
25 California.

1 And next week, December 9th and 10th, CPUC
2 and the Energy Commission are jointly sponsoring a
3 workshop on natural gas market outlook 2006 through 2016.

4 And again next week, December 11th, Energy
5 Commission's Renewables Committee will conduct a
6 hearing to solicit comments on its proposed Committee
7 draft guidelines for the agricultural biomass to energy
8 program.

9 And that same day again Renewables Committee
10 will conduct a workshop to solicit comments on proposed
11 revisions to the emerging renewables program guidebook.

12 And finally, our office will be revising the
13 siting process practice and procedure guidebook dated
14 July 1999, which is used internally at the Commission,
15 as well as it's made available to members of the public
16 and the parties. And while it's not subject to EPA,
17 we're nevertheless going to issue a schedule so we can
18 receive comments from interested folks.

19 So, please stay tuned. That's all.

20 ACTING CHAIRMAN PERNELL: All right, thank
21 you, Ms. Kim. That's a very good report. Are you
22 coordinating that with the Siting Committee?

23 PUBLIC ADVISER KIM: We will be doing that.
24 I'm just trying to give you a heads up --

25 ACTING CHAIRMAN PERNELL: Right, okay.

1 PUBLIC ADVISER KIM: -- that we're probably
2 going to be preparing the schedule and we'll be working
3 with the Siting Committee folks.

4 ACTING CHAIRMAN PERNELL: Good. All right,
5 very good report, thank you.

6 Public comment. Any public comment? Anyone
7 on the phone on public comment?

8 All right, is there anything else to come
9 before this Commission? Anything else to come before
10 this Commission? Commissioner Geesman.

11 COMMISSIONER GEESMAN: I actually had one
12 item that I anticipated was going to be raised in
13 public comment because the gentleman has previously
14 used the public comment period to bring to our
15 attention a variety of compliance issues associated
16 with the Metcalf plant.

17 He sent each of the Commissioners, and I
18 think the Executive Office, an email yesterday that
19 invited our response, which I don't really think, given
20 the nature of the matter, it's really appropriate for
21 individual Commissioners to be responding to him. But
22 I think, as an organization, we should be responsive.

23 And I wonder if we could send him a very
24 very succinct letter explaining how our compliance
25 process works as it relates to the milestones for that

1 particular project.

2 MR. THERKELSEN: Yes, Commissioner. I
3 actually did not receive a copy of that email. I
4 thought you were talking originally about some earlier
5 correspondence which I've seen and we have responded to
6 previous comments that he has submitted to us.
7 Specifically the ones that were raised at the last
8 business meeting.

9 But I haven't seen that next one. I will
10 take care --

11 COMMISSIONER GEESMAN: Yeah, I will forward
12 the email to you then this morning. And I think what I
13 would suggest is just indicating that you're responding
14 on our behalf to his email.

15 MR. THERKELSEN: I will do that. We've made
16 it very clear to him that we will be responding,
17 because he's complained about timeliness of our
18 responses, we made it very clear to him that any
19 comment that we get from him we will respond to him in
20 72 hours.

21 In some cases where there's a lengthy amount
22 of work to be done within that 72 hours we will
23 acknowledge receipt of the item, and indicate to him
24 when we will respond back.

25 But we're trying to be very responsive, even

1 though some of the items we have dealt with him on many
2 occasions.

3 COMMISSIONER GEESMAN: Yes, I understand
4 that. Thank you.

5 ACTING CHAIRMAN PERNELL: All right, thank
6 you, Commissioner Geesman.

7 Anything else to come before this
8 Commission? Seeing none, hearing none, this meeting's
9 adjourned.

10 (Whereupon, at 10:34 a.m., the business
11 meeting was adjourned.)

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CERTIFICATE OF REPORTER

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

I, ALAN MEADE, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Business Meeting; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, nor in any way interested in outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of December, 2003.

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345