

STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Business Meeting Minutes

of

May 5, 2004

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

The Pledge of Allegiance was led by Chairman Keese.

William J. Keese	Present
Arthur Rosenfeld	Present
James D. Boyd	Present
John L. Geesman	Present
Jackalyne Pfannenstiel	Present

Prior to the Consent Calendar, Chairman Keese welcomed new Commissioner Jackalyne Pfannenstiel to the Energy Commission.

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. NET SYSTEM POWER REPORT. Possible approval of a revision to the 2003 Net System Power Report which was adopted at the April 21, 2004 Business Meeting.
 - b. U.S. DEPARTMENT OF ENERGY (DOE), SANDIA NATIONAL LABORATORIES. Possible approval of Contract 500-03-100 to enter into a Memorandum of Understanding between the DOE and the Energy Commission. The MOU will demonstrate Electric Energy Storage (EES) as a technically viable, cost-effective and broadly applicable option for increasing the reliability of the electricity system and for electric energy management in California and the nation under Commission Request for Proposal 500-03-501.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the Consent Calendar. The vote was unanimous. (5-0)

2. MODESTO ELECTRIC GENERATING STATION (MEGS; Docket No. 03-SPPE-01. Consideration of a Request for Reconsideration of the Commission Small Power Plant Exemption Decision for the Modesto Irrigation District's Modesto Electric Generation Station.

Commissioner Boyd moved and Commissioner Geesman seconded to affirm the Commission's granting of a Small Power Plant Exemption for MEGS; the Commission adopted as a precedent decision the principle that reconsideration is not available in SPPE proceedings. The vote was unanimous. (5-0)

3. RIVERSIDE SMALL POWER PLANT EXEMPTION (04-SPPE-1). Possible assignment of a Siting Committee Assignment for the Riverside Energy Resource Center Small Power Plant Exemption.

Commissioner Boyd moved and Commissioner Geesman seconded approval to assign Jackalyne Pfannenstiel as presiding member and John Geesman as associate member for the Committee for Riverside Energy Resource Center Small Power Plant Exemption proceeding. The vote was unanimous. (5-0)

4. MORRO BAY. Commission consideration and possible adoption of the 2nd Revised Presiding Member's Proposed Decision approving the Morro Bay Power Plant Project. (Docket No. 00-AFC-12)

This item was withdrawn from the agenda.

5. EL SEGUNDO. Commission consideration and possible adoption of the Revised Presiding Member's Proposed Decision approving the El Segundo Power Plant Project.

This item was withdrawn from the agenda.

6. RENEWABLE ENERGY PROGRAM. Possible adoption of substantive changes to the Guidebook for the Consumer Education Program. Projects that verify and track renewable energy generation and verify retail product claims will be eligible for funding under the Program.

This item was moved to the May 19, 2004 Business Meeting.

7. SENATE BILL 84 XX REPORT. Commission consideration and possible approval of the Senate Bill XX Report to the Legislature on Battery Backup Program for Light Emitting Diode (LED) traffic signals.

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the Senate Bill 84 XX Report to the Legislature. The vote was unanimous. (5-0)

8. RESIDENTIAL LIGHTING STANDARDS. Approval of an option requested by the Building Industry of a new limited-term option for early compliance with the Residential Lighting Standards portion of the 2005 Building Energy Efficiency Standards.

Commissioner Rosenfeld moved and Commissioner Boyd seconded approval of a limited-term option for early compliance with the Residential Lighting Standards. The vote was unanimous. (5-0)

9. IEPR - INDEPENDENT SYSTEM OPERATOR SUBPOENA. Consideration and possible adoption of a subpoena directing the California Independent System Operator to provide data relevant to the Energy Commission's Aging Power Plant Study.

Commissioner Geesman moved and Commissioner Boyd seconded approval of a subpoena directing the California Independent System Operator to provide data relevant to the Commission's Aging Power Plant Study. The vote was unanimous. (5-0)

10. DIGITAL ENERGY, INC. Possible approval of Contract 400-03-008 for \$2,240,000 to provide engineering and architectural services to the Energy Commission's Bright School, Energy Partnership and Energy Efficiency Financing programs by providing energy efficiency expertise in new construction and in modernizing, renovating and retrofitting buildings. (PVEA, ECAA, State and Consumer Services Agency funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 400-03-008. The vote was unanimous. (5-0)

11. Minutes

Commissioner Geesman moved and Commissioner Boyd seconded approval of minutes from the April 21, 2004 business meeting. The vote was 4-0-1 with Commissioner Pfannenstiel abstaining. (4-0-1-abstention)

12. Commission Committee and Oversight

Commissioner Geesman thanked the staff who put together the Renewable Workshop yesterday (5-4-04). He stated that the workshop had three separate panels on various renewable issues and that it was a great success.

13. Legislative Director's Report

No report was given.

14. Chief Counsel's Report

Chief Counsel Bill Chamberlain informed the Commissioners that a provision of the Open Meeting Act did allow for a closed session deliberations on decisions in adjudicatory cases such as power facility certification proceedings.

15. Executive Director's Report

Executive Director Bob Therkelsen stated that during legislative hearings on the Commission's budget last week he presented a summary of the IEPR. Mr. Therkelsen also thanked the staff for their handling of the energy emergency caused by the ruptured petroleum pipeline in the Bay Area.

16. Public Adviser's Report

No Report was given.

17. Public Comment

Mr. Robert Sarvey gave a statement regarding his request for reconsideration in the Modesto Electric Generating Station proceeding.

Mr. Berdner wanted to speak on Item 6, the Renewable Energy Program, which had been moved to the May 19, 2004 Business Meeting.

The meeting was adjourned at 10:40 a.m.

BETTY A. McCANN
Secretary to the Commission