

**STATE OF CALIFORNIA**  
**CALIFORNIA ENERGY COMMISSION**

**Business Meeting Minutes**

**of**

**September 22, 2004**

## Business Meeting Minutes of September 22, 2004

The meeting was called to order by Chairman Keese at 10:06 a.m.

The Pledge of Allegiance was led by all.

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

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. CMC-ENGINEERING. Possible approval of Contract 500-03-037 Amendment 1, to correct an administrative mistake. This amendment adds language to the Terms and Conditions allowing the contractor to subcontract with an national lab using terms negotiated between the Energy Commission and the U.S. Department of Energy on behalf of the labs. No additional time or money is being requested. Contact: Allan Ward, (916) 651-6196.
  - b. WESTERN GOVERNORS' ASSOCIATION. Possible approval of Contract 150-03-002 Amendment 3, for a no-cost nine-month time extension to continue preparation for transuranic waste shipments in California to the Waste Isolation Pilot Plant (WIPP) in New Mexico. As additional funding is received from DOE, WGA will be sending further increments to the Energy Commission throughout fiscal years 2004 and 2005. Contact: Barbara Byron, (916) 654-4976.
  - c. GOVERNOR'S OFFICE OF EMERGENCY SERVICES. Possible approval of Contract 150-03-003 Amendment 3, to approve a no-cost time extension to continue emergency response preparation for federal nuclear waste shipments to the Waste Isolation Pilot Plant (WIPP) in New Mexico. As additional funds are received from the U.S. Department of Energy and the Western Governors' Association to the Energy Commission, further increments will be provided throughout the Federal fiscal years 2004 and 2005. Contact: Barbara Byron, (916) 654-4976.
  - d. CALIFORNIA HIGHWAY PATROL. Possible approval of Contract 150-03-004 Amendment 3, to provide a no-cost time extension to reimburse expenses for inspecting and/or escorting shipments of transuranic nuclear waste in California and to reimburse travel necessary to attend meetings to prepare for these shipments. Contact: Barbara Byron, (916) 654-4976.

- e. CALIFORNIA HIGHWAY PATROL. Possible approval of Contract 150-03-004 Amendment 2, for \$18,850 to provide the next increment of funding to reimburse expenses for inspecting and/or escorting shipments of transuranic nuclear waste in California. These funds are in addition to the \$6,150 provided to reach the total of \$25,000 through September 30, 2004. Contact: Barbara Byron, (916) 654-4976.

*Item 1(e) was withdrawn from the agenda. Commissioner Rosenfeld moved and Commissioner Boyd seconded approval of Items (a)-(d) of the Consent Calendar. The vote was unanimous. (5-0)*

2. ENERGY EFFICIENCY REVENUE BOND PROGRAM. Information provided regarding the consent of a transfer of rights and responsibilities from the California Consumer Power and Conservation Financing Authority (CPA) to the California Infrastructure and Economic Development Bank (Infrastructure Bank) regarding the Energy Efficiency Series 2003a and future bonds.

*This item was moved to the October 6, 2004 Business Meeting.*

3. COUNTY OF ALAMEDA. Possible approval of a \$2,154,848 loan to the county of Alameda to install a 750-kilowatt natural gas, fuel cell co-generation plant at the Santa Rita detention facility. This project is estimated to save about \$215,485 annually and has a simple payback of 10 years. (ECAA funded)

*Commissioner Pfannenstiel moved and Commissioner Rosenfeld seconded approval of a loan to the county of Alameda. The vote was unanimous. (5-0)*

4. U. S. DEPARTMENT OF ENERGY (USDOE)-CLEAN CITIES. Possible approval to enter into grant agreements with 13 project applicants that have been awarded grant funds under the 2004 USDOE Clean Cities SEP Grant Solicitation. (DOE funded)

*Commissioner Boyd moved and Commissioner Pfannenstiel seconded approval of the grant agreements with the thirteen projects in the 2004 USDOE Clean Cities SEP Grant Solicitation. The vote was unanimous. (5-0)*

5. GOVERNOR'S OFFICE OF EMERGENCY SERVICES. Possible approval of Contract 150-03-003 Amendment 2, to provide \$40,049 of additional funding to the \$80,600 for OES to continue emergency response preparation for federal nuclear waste shipments to the Waste Isolation Pilot Plant (WIPP) in New Mexico. As additional funds are received from the USDOE and the Western Governors' Association (WGA), further increments will be provided throughout Federal fiscal years 2004 and 2005. (WGA funded)

*The Commission took up items 5 and 6 together. Commissioner Boyd moved and Commissioner Pfannenstiel seconded approval of Contract 150-03-003 Amendment 2, and Contract 150-03-002 Amendment 2. The vote was unanimous. (5-0)*

6. WESTERN GOVERNORS' ASSOCIATION. Possible approval of Contract 150-03-002 Amendment 2, to provide \$71,399 in additional funding to the Energy Commission for planning and preparation for transuranic waste shipments in California. These funds are part of the total \$165,149 (originally was \$187,500, but DOE reduced overall funding to states) contract award. The combined first, second and third increments total \$165,149. As additional funding is received, WGA will be sending further increments to the Energy Commission throughout fiscal years 2004 and 2005. (WGA funded)

*This item was voted on and approved with Item 5.*

7. OREGON DEPARTMENT OF ENERGY. Possible approval of Contract R400-01-003 to receive \$71,800 from the U. S. Department of Energy, State Technologies Advancement Collaborative to support our partnership in the Western Food Industry Collaborative being led by the Oregon Department of Energy. The Collaborative is an agreement among participants to create a network to improve energy and water efficiency and productivity of the food processing industry in Oregon, Washington, Idaho and California. (USDOE funded)

*Commissioner Pfannenstiel moved and Commissioner Rosenfeld seconded approval of Contract R400-01-003. The vote was unanimous. (5-0)*

8. ROBERT SARVEY. Commission consideration of Complaint and Request for Investigation of alleged violations of the Rules of Practice and Procedure by the Siting Committee in the Tesla Power Project proceeding (01-AFC-21).

*Commissioner Boyd moved and Commissioner Rosenfeld seconded dismissal of the Complaint with prejudice. The vote was unanimous. (5-0)*

9. Minutes

*Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the Minutes from the September 8, 2004 business meeting. The vote was unanimous. (5-0)*

10. Commission Committee and Oversight

*Chairman Keese announced an executive session following the business meeting.*

11. Chief Counsel's Report

*No report was given.*

12. Executive Director's Report

*Executive Director Bob Therkelsen commended Betty LaFranchi and Pat Flint for their exceptional assistance in handling the issues that arose because of the flooding in the Commission building on Monday September 20.*

13. Legislative Director's Report

*No report was given.*

14. Public Adviser's Report

*No report was given.*

14. Public Comment

*Mr. Mark Johnson of Golden Sierra Power spoke on solar power and the Renewables Program.*

The meeting was adjourned at 11:13 a.m.

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BETTY A. McCANN  
Secretary to the Commission