

Business Meeting Minutes of May 24, 2006

The meeting was called to order by Vice Chair Jackalyne Pfannenstiel at 10:00 a.m.

The Pledge of Allegiance was led by Vice Chair Pfannenstiel.

Jackalyne Pfannenstiel	Present
Arthur Rosenfeld	Present
James D. Boyd	Absent
John L. Geesman	Present

Prior to beginning the meeting, Vice Chair Pfannenstiel presented Twenty-Five Year Service Awards to Daryl Mills and Mike Messenger, and commended Susan Brown, who was recognized by the United States Environmental Protection Agency this year for her efforts to protect the earth's climate and ozone layer. The Vice Chair also recognized Commissioner Boyd, in absentia, as the recipient of a 2006 Haagen-Smit award for Clean Air Policy, and Commissioner Rosenfeld as the 2005 recipient of the Enrico Fermi award for scientific achievement.

The Vice Chair then proceeded to regular business.

In addition to the agenda that was distributed on May 12, 2006, an addendum of two items, numbered 20 and 21 was presented for possible consideration by the Commission.

Commissioner Geesman moved that Items 20 and 21 be added to the agenda for consideration, on the ground that there exists a need to take immediate action and that the need for action came to the attention of the Commission subsequent to the agenda being posted on May 12 (Government Code section 11125.3(a)(3). Commissioner Rosenfeld seconded. The vote was unanimous. (3-0)

Vice Chair Pfannenstiel re-ordered the agenda to take up Item 21, a Resolution in support of the California Green Builder Program.

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 moved and discussed later in the meeting.)
 - a. NEW BUILDINGS INSTITUTE. Possible approval of Contract 500-05-037 for \$20,000 to co-sponsor the Leading Edge Student Design Competition. This competition provides a training vehicle for architectural students to receive hands-on experience in energy-efficient building practices and renewable energy technologies in architectural design. (PIER – Electric funded) Contact: Norm Bourassa.

- b. E SOURCE COMPANIES. Possible approval of Contract 500-05-038 for \$16,200 to E Source for a one-year Core Membership that allows all Commission staff access to E Source information services. These include technical newsletters, technical support, and literature search services on demand, as well as invitations to annual conferences and forums. (PIER – Electric funded) Contact: Norm Bourassa.
- c. LAWRENCE BERKELEY NATIONAL LABORATORY. Possible approval of a \$5,000 co-sponsorship and use of the Energy Commission’s name for the Demand Response National Town Meeting and Symposium (under the existing Demand Response Research Center (DRRC) Contract 500-03-026). The two-day town meeting and symposium features panel discussions on demand response issues. It is intended to provide an opportunity to promote DRRC and to foster connections with potential stakeholders in demand response research in California and the nation. (PIER –DRRC funded) Contact: Mark Rawson.
- d. REGENTS OF THE UNIVERSITY OF CALIFORNIA-DAVIS. Possible approval of an amendment to Work Authorization MR-017 “California Wind Energy Collaborative” under Contract 500-02-004 for a no-cost time extension of nine months from June 30, 2006, to March 31, 2007. Contact: Mike Kane.
- e. CAMBRIAN ENERGY WOODVILLE, LLC. Possible approval of an amendment to Funding Award Agreement REN-98-033 under the New Renewable Resources Account, changing awardee’s name from MM Woodville Energy, LLC to Cambrian Energy Woodville, LLC. Effective date of the name change is retroactive to May 2005. Contact: Tony Goncalves.
- f. TIAX, LLC. Possible approval of Contract 600-02-003, Amendment 2, for a no-cost time extension of one year to October 31, 2007, to continue to provide technical support for transportation technology programs, including new work required by AB 1007. Contact: Sherry Stoner.
- g. WESTERN GOVERNORS’ ASSOCIATION. Proposed no-cost amendment to contract RMB 150-05-004 with the Western Governors’ Association (WGA) to: change the second quarterly payment from \$63,250 to \$42,250; and authorize the Energy Commission’s Executive Director to execute similar modifications to the Agreement. The difference of \$21,000 will create a Travel Account to reimburse California agencies directly for travel to WGA meetings during FY 2006. Contact: Barbara Byron.

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

2. LAWRENCE BERKELEY NATIONAL LABORATORY, LAWRENCE LIVERMORE NATIONAL LABORATORY AND UC SANTA CRUZ. Possible approval of a \$930,000 PIER Work Authorization under the Master Agreement 500-02-004 for a study to improve the performance of existing California regional climate precipitation models. This study will compare these models' simulations with actual measurements taken by multiple weather and hydrological stations. (PIER – Electric funded) Contact: Guido Franco. (10 minutes)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the work authorization under Master Agreement 500-02-004. The vote was unanimous. (3-0)

3. LANDFILLS +, INC. Possible approval of Contract 500-05-039 to Landfills +, Inc. for \$399,929 to develop and validate a new method to estimate methane emissions from landfills for the greenhouse gas inventory. The Integrated Waste Management Board is a key partner in this project. (PIER – Natural Gas funded) Contact: Guido Franco. (10 minutes)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-05-039. The vote was unanimous. (3-0)

4. PIPELINE RESEARCH COUNCIL INTERNATIONAL (PRCI). Possible approval of a grant to the PRCI for \$140,000 to develop comprehensive industry guidelines and recommended practices to evaluate and site pipelines in areas subjected to large-scale ground movements. The U.S. Department of Transportation and other entities will provide a total of \$815,033 in matching funds. (PIER–Natural Gas) Contact: Mike Magaletti. (10 minutes)

The item was held for a future meeting.

5. ZETETIC ASSOCIATES, INC. Possible approval of Contract 600-05-009 for \$49,965 for assistance to design survey questions for vehicle fleet owners (e.g. refuse haulers, taxicab companies) about their willingness to use different types of alternative-fueled vehicles. Survey will be conducted using an on-line service, and results will be analyzed and used for the AB 1007 report. (ERPA funded) Contact: Jason Sterling. (10 minutes)

The item was held for a future meeting.

6. NATIONAL CENTER FOR ENERGY MANAGEMENT AND BUILDING TECHNOLOGY. Possible approval of PIER Contract 500-05-042 for \$250,211 to develop materials to educate air conditioning technicians on the best methods of evaluating, diagnosing and correcting faults in air conditioning equipment for residential and small commercial buildings. (PIER-Buildings funded) Contact: Chris Scruton. (10 minutes)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-05-042. The vote was unanimous. (3-0)

7. DEPARTMENT OF ENERGY, OAK RIDGE NATIONAL LABORATORY. Possible approval of PIER Contract 500-05-016 for \$200,000 with the U.S. Department of Energy, Oak Ridge National Laboratory, to analyze the 2002 Commercial End Use Survey (CEUS) data originally collected by the Energy Commission. The collection of the CEUS data was managed by the Energy Commission to meet some of the requirements of the California Code of Regulations, Title 20, 1340 et seq. (PIER-Buildings funded) Contact: Martha Brook. (10 minutes)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-05-016. The vote was unanimous. (3-0)

8. APPLIANCE EFFICIENCY REGULATIONS AMENDMENTS. Possible adoption of the proposed amendments to the Appliance Efficiency Regulations (Docket No 06-AAER-1) published as Express Terms of Proposed Regulations (15-Day Language) – April 24, 2006. These amendments are for external power supplies. Contact: Jim Holland. (30 minutes)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the amendments to the appliance regulations, as published in the 15-Day Language dated April 24, 2006. The vote was unanimous. (3-0)

9. ORDER INSTITUTING INFORMATIONAL PROCEEDING (06-OII-01). Possible adoption of Order Instituting Informational Proceeding as proposed by the Energy Commission's Renewables Committee to develop Statewide Avian/Wind Monitoring Protocols and Mitigation Guidelines. The Energy Commission, working with Department of Fish and Game, various interested stakeholders, and the public, will design statewide voluntary avian/wind monitoring guidelines for local wind development permitting authorities. These guidelines will help reduce the impacts of wind energy development on birds and bats. Contact: Kerry Willis (10 minutes)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the order. The vote was unanimous. (3-0)

10. SAN FRANCISCO ELECTRIC RELIABILITY PROJECT. Commission review of the appeal of Committee's *Ruling re: Californians for Renewable Energy (CARE) Motion for Extension of Time and Change of Schedule* in the San Francisco Electric Reliability proceeding (Docket no. 04-AFC-1). Contact Gary Fay or Stanley Valkosky. (15 minutes)

Commissioner Geesman moved and Commissioner Rosenfeld seconded affirmation of the committee's decision. The vote was unanimous. (3-0)

11. AVENAL ENERGY PROJECT. Commission consideration of Committee Order denying Applicant's request for continued extension of Avenal Energy Project proceeding (Docket 01-AFC-20) and consideration of staff's motion to terminate. Contact: Gary Fay or Stanley Valkosky. (15 minutes)

Commissioner Geesman moved and Vice Chair Pfannenstiel seconded returning the matter to the Siting Committee for a draft order to extend the proceeding, with a deadline of September 24, 2006, when the project will terminate if various reports and documents have not been submitted. The vote was unanimous. (3-0)

12. ENTERPRISE NETWORKING SOLUTIONS, INC. Possible approval of an agreement for \$193,200 to hire a senior project manager to provide technical expertise and oversight for the Western Renewable Energy Generation Information System (WREGIS) system development. The senior project manager will help ensure that project objectives are realized and coordinate efforts between the system development contractor and other project development consultants. (RRTF funding.) Contact: Mark Hutchison. (10 minutes)

Commissioner Geesman moved and Commissioner Rosenfeld seconded - approval of an agreement. The vote was unanimous. (3-0)

13. **Minutes**

Approval of the April 26, 2006, Business Meeting Minutes.

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the April 26 minutes. The vote was unanimous. (3-0)

14. **Commission Committee Presentations/Discussion**

None.

15. **Chief Counsel's Report**

Chief Counsel Bill Chamberlain reported that the United States Solicitor General has issued a brief which urges the Supreme Court to deny the Petition for Certiorari filed by

the appliance trade associations and to leave in place the Ninth Circuit decision that upholds all aspects of the Commission's regulations that the associations claimed were preempted by federal law.

16. Executive Director's Report

Executive Director B. B. Blevins reported there is one item to be heard in closed session following the business meeting.

17. Legislative Director's Report

None

18. Public Adviser's Report

None

19. Public Comment

Item 9

*Mr. Paul Vercruyssen, Center for Energy Efficiency and Renewable Technology
Ms. Nancy Rader, California Wind Energy Association*

Item 10

*Mr. Gene Varanini, City of San Francisco
Mr. Mike Boyd, Californians for Renewable Energy
Mr. Robert Sarvey, Intervenor*

Item 11

*Ms. Jane Luckhardt of Downey, Brand LLP
Mr. Steven Gilliland, Chief Executive Officer, Federal Power Avenal, LLC
Ms. Melissa Whitten, City of Avenal*

Mr. Donald Brumfield, Self Hedgehog Enterprises

20. **MEMORANDUM OF UNDERSTANDING.** Possible approval of a Memorandum of Understanding pledging the support of the State of California for the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Energy's (DOE) National Action Plan for Energy Efficiency. The Action Plan was developed by a Leadership Group for EPA and DOE, and describes key barriers that limit greater U.S. investment in energy efficiency, as well as policies for removing these barriers. Upon completion of the Action Plan, leaders will pursue these policies through their business channels, as appropriate, and will assist in the dissemination of these policies and business practices to key

audiences. Contact: John Wilson (10 minutes).

The item was held for a future meeting.

21. CALIFORNIA GREEN BUILDER PROGRAM RESOLUTION. Possible approval of a resolution recognizing the California Building Industry Association and the Building Industry Institute for developing and implementing the California Green Builder Program. Contact: Tim Tutt (10 minutes).

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the resolution. The vote was unanimous. (3-0)

The meeting was adjourned at 11:41 a.m.

Respectfully submitted

HARRIET KALLEMEYN
Secretariat to the Commission