

COMMISSIONERS PRESENT

Karen Douglas, Chair
James D. Boyd, Vice Chair
Jeffrey D. Byron
Anthony Eggert
Robert B. Weisenmiller

STAFF PRESENT

Valerie Hall, Deputy Director for Efficiency &
Renewable Energy
Michael Levy, Chief Counsel
Jennifer Jennings, Public Advisor
Harriet Kallemeyn, Secretariat

Agenda Item

Chris Graillat	
Jennifer Allen	1
Deborah Godfrey	2, 3

Also Present

Interested Parties:

Douglas Hoffner, Labor and Workforce Development Agency
Barbara Halsey, California Workforce Investment Board
Lynora Sisk, Employment Development Department
Brian McMahon, Employment Training Panel

Public Comment:

John Cota, Ehlert Business Group

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P R O C E E D I N G S

APRIL 28, 2010

10:07 a.m.

CHAIRPERSON DOUGLAS: Good morning. Welcome to the California Energy Commission Business Meeting of April 28th, 2010.

Please join me in the Pledge.

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

CHAIRPERSON DOUGLAS: Good morning, Commissioners. Before we begin the Agenda today, I would like to take a moment to honor some of our partner agencies who have worked with us in our ARRA implementation. One of the most exciting aspects of the whole ARRA program, to me, has been the new partnerships that it has prompted us to develop with other state agencies and closer working relationships with them. This has been an opportunity for us to further our mission and also to further the mission of our partners while leveraging their expertise and existing infrastructure in delivering program goals. In particular, I have been tremendously pleased with the workforce training partnerships that we have developed. As we have often discussed within our various policy committees, the need for a trained workforce in the clean energy area is one of, not the only, but one of the critical path items for achieving our goals of scaling up renewable energy and energy efficiency to the

1 degree that we need in order to meet our state's climate
2 goals and the Energy Commission's energy policy goals. And
3 at the same time, the clean energy area is a bright spot for
4 the California economy and it offers a tremendous opportunity
5 for individuals who are able to get training to retool their
6 skills and enter this growth field at a tremendously
7 opportune time for them. So this has been a very exciting
8 partnership. We approached the Labor and Workforce
9 Development Agency, we approached Employment Development
10 Department, Employment Training Panel, the California
11 Workforce Investment Board, about a year ago to explore
12 developing a program with them that we would put some of the
13 SEP-ARRA funds that we are administering into workforce
14 training, and they have really risen to the occasion despite
15 having a significant ARRA responsibility of their own, I have
16 to add, because they had no lack of ARRA funds to administer
17 and ARRA challenges to overcome, along with us. But they put
18 a tremendous amount of time and effort into the workforce
19 training program and, thanks to the efforts of these agencies
20 and other partners through the Green Jobs Council, the
21 Governor was able to announce the Clean Energy Workforce
22 Training Program in August of 2009. The Energy Commission
23 put in \$20 million of ARRA funds, \$10 million of 118 money,
24 and the workforce agencies helped us leverage additional
25 funding to bring the program to \$62 million. It is the

1 largest state clean energy workforce training program in the
2 nation; it will train 11,000 workers in energy and water
3 efficiency, renewable energy, and clean transportation. It
4 is a tremendously exciting program and we wanted to just
5 pause and recognize that achievement. And I would like to
6 ask, before I turn to the Resolutions, I would actually like
7 Chris Grailat, who is our staff lead on this program, to say
8 a few words. And obviously I would like to give her my
9 strong thanks and appreciation, as well, for her hard work
10 and leadership on this program.

11 MS. GRAILLAT: Thank you, Chair. As the Chair
12 said, a year ago we basically were trying to get this program
13 ramped up and we were very fortunate to connect with our
14 Labor and Workforce Development Agency partners, EDD, ETP,
15 and the Workforce Investment Board. It has been a unique and
16 innovative partnership and much to their credit. As most of
17 you know, the Energy Commission does not have a history of
18 being involved in workforce development, so we really had to
19 rely heavily on their expertise, and they really came through
20 to us. I am speaking on my behalf, as well as Pamela
21 Bartholomy, who is the Chair's Chief Advisor, we would come
22 up with things and we would ask them, and then would never
23 say no, they would always find a way. We were so impressed
24 with the diligent work of the staff and everyone's can-do
25 attitude, so without their assistance, this program would not

1 be as much of a success as it is. My job as Chief Bottle
2 Washer, as I call it, is to get all the paperwork done, but I
3 was fortunate enough to get out in the field two weeks ago
4 and to go to one of our Grantees, which is the City of
5 Richmond. They have a program called "Richmond Build" and
6 just to give you an idea of the kind of impact this whole
7 program is having in the community, Richmond has an
8 unemployment rate of about 17 percent. In their first
9 training class, they had a 75 percent placement rate, which
10 is really great. We actually went to follow one of the
11 trainees at his job. He now works for an Oakland-based
12 company called Energy Conservation Options. Previously, he
13 was an unemployed auto worker, but he decided that he was
14 personally interested in energy efficiency -- well, he was
15 interested in green building, I do not think he really knew
16 what energy efficiency was until he took the class, but he
17 wanted to get involved and he was also able to learn about
18 the environmental impact of energy efficiency, and I am sure
19 he probably learned about our loading order, as well, when he
20 was in the class. But he received his certification as a
21 HERS Rater and today he does assessments of residential
22 homes, offices, large and small commercial projects, and he
23 helps them with his company to find ways to cut their energy
24 use. It was so exciting, his picture is going to go up on
25 our website, too, because he is such a great model for this

1 program. His quote was, "Out here in Alameda County, I feel
2 like I'm helping to make a difference." So, you know, it is
3 really those things that we are doing that we could not have
4 done without the assistance of these agencies and their
5 staff. So thank you. And thank you for putting up with us.
6 [Applause]

7 CHAIRPERSON DOUGLAS: Thank you, Chris. At this
8 point, we have prepared resolutions for these four agencies
9 and departments, and I would like to read the resolution and
10 offer Commissioners an opportunity to make comments, and then
11 ask that Douglas Hoffner, Undersecretary of the California
12 Labor and Workforce Development Agency, Lynora Sisk,
13 Assistant Deputy Director of the Workforce Development Branch
14 of EDD, the Employment Development Department, Brian McMahon,
15 Executive Director of the Employment Training Panel, and
16 Barbara Halsey, Executive Director of the California
17 Workforce Investment Board, they are here representing their
18 respective agencies, boards, departments, and we will offer
19 you an opportunity to come forward and say a few words if you
20 would like, and pick up your resolutions in just a moment.
21 But I will read the resolution quickly. And we are also
22 doing a group photo. These are identical resolutions, I will
23 just read the first one, which is the Labor and Workforce
24 Development Agency:

25 "WHEREAS, the Clean Energy Workforce Training

1 Program was created in 2009 with funding from the
2 American Recovery and Reinvestment Act;

3 WHEREAS, the Clean Energy Workforce Training
4 Program will train approximately 11,000 workers and is
5 the largest clean energy training program in the nation;

6 WHEREAS, a well-trained workforce will help
7 California meet its economic and environmental
8 challenges and advance California's policies for a clean
9 energy future;

10 WHEREAS, the California Energy Commission partnered
11 with the Labor and Workforce Development Agency and the
12 entities under its purview, specifically the Employment
13 Development Department, the Employment Training Panel,
14 and the California Workforce Investment Board, to create
15 the California Energy Workforce Training Program;

16 WHEREAS, through these state partnerships, the
17 California Energy Commission has funded training and
18 education for local partnerships, regional and clean
19 energy industry cluster planning and labor market
20 information development to build the Clean Energy
21 Economy; and

22 WHEREAS, staff of these entities have provided
23 their expertise and contributed significant time and
24 resources to guide the development and implementation of
25 this program, serving with dedication, diligence, and a

1 can-do attitude;

2 THEREFORE, BE IT RESOLVED that the California
3 Energy Commission commends and thanks the [in this case]
4 Labor and Workforce Development Agency and its staff for
5 working tirelessly on behalf of this program in the
6 State of California."

7 So thank you, Commissioners. Do you have anything
8 to add at this point?

9 COMMISSIONER EGGERT: Sure. Just a couple of
10 comments. I guess, 1) it is very exciting to be a part of
11 this effort of, you know, really sort of transforming our
12 energy economy, and workforce training being such a critical
13 component of that, often times overlooked basically building
14 the human infrastructure which is going to be necessary to
15 transform the energy infrastructure, both for power
16 generation and for transportation. I think in terms of sort
17 of the economic prospects, I am very confident that our
18 economy is going to recover, I think we are going to come out
19 of this, and we are really, I think what we are doing is
20 changing the arc of the economic growth towards jobs,
21 industries and businesses that thrive on energy efficiency
22 and clean energy investments, and these workforce development
23 programs are really going to prepare the industry and help
24 sort of be the fuel that drives that engine. So I just want
25 to commend the agencies and I am really excited and think

1 this resolution is well deserved.

2 COMMISSIONER WEISENMILLER: I certainly agree with
3 my fellow Commissioners. When I was appointed to this
4 Commission, one of my first site visits was done at Blythe
5 and the unemployment rate in Blythe is over 25 percent, and
6 so it was clear that the ARRA projects present an opportunity
7 for California to really revitalize its economy and to shape
8 it for the new millennium. At the same time, it presents
9 enormous challenges to this agency in terms of how to most
10 effectively take advantage of that and, certainly, working
11 with the other state agencies is a key part of that, and
12 certainly a key cornerstone of moving forward is the
13 workforce development because the human resources are going
14 to be vital to the new economy. So, again, I would like to
15 thank everyone here and the associated agencies for their
16 hard work on this.

17 CHAIRPERSON DOUGLAS: Commissioner Weisenmiller,
18 you are reminding me that that was a power plant siting case
19 and a site visit to Blythe that you and I went on together,
20 and as we sat at the dais at the City of Blythe, one of the
21 local residents who supported the project came forward and
22 said, "We received a grant from this program funded by the
23 Energy Commission in part to do workforce training for," in
24 that case I believe it was Utility Scale Solar, "...and we are
25 so excited at the prospect of these proposed projects in this

1 area that would actually put these skills to use right here
2 in Blythe, California." And it was really a great moment for
3 me, sitting there on a siting case, to see our workforce
4 training work at use and in a community that is seeing its
5 share of projects being proposed. So with that, I would like
6 to ask Mr. Hoffner, Ms. Sisk, Mr. McMahon, Ms. Halsey, please
7 come forward, please say a few words if you would or if you
8 would like to.

9 MR. HOFFNER: Doug Hoffner with the Labor Workforce
10 Development Agency. I just want to say thank you for the
11 recognition here today. The opportunity for collaboration,
12 which I think is what we are mostly speaking about, and
13 bringing our divergent responsibility policy assignments,
14 etc., together has been a fantastic opportunity. And I think
15 what we need to make sure of is not just ARRA related, but on
16 other projects, that we continue what we have developed so
17 far here today and in the last year, and build upon that
18 through a variety of other programs and policies that will
19 help this clean tech and green tech workforce in the state
20 and improve the economic conditions of the State of
21 California, and I just want to say thank you, it has been a
22 pleasure, and I will turn this over to the folks that did
23 that really hard work in putting those projects together and
24 making it such a success. Thank you.

25 MS. HALSEY: Good morning, Chair and Commissioners.

1 Thank you so much for the recognition. I would like to
2 recognize the good work and the great spirit of intent that
3 we saw coming from the Energy Commission and the staff of the
4 Energy Commission as we moved forward on the project. The
5 California Workforce Investment Board is responsible for the
6 operation of the Green Collar Jobs Council, and certainly the
7 contribution that your staff have made on behalf of the
8 Commission to moving the Council's work forward has been
9 phenomenal. Today I left a session in Sacramento to come to
10 this meeting, and we currently have 75 participants sitting
11 over at the Marriott on Exposition Way, working on Regional
12 Clusters of Opportunity. Seven of those regional teams are
13 focusing on what the green economy is doing in their region
14 and hoping to grasp a better understanding of how that
15 economy is morphing and changing the make-up of their economy
16 and what the response should be of education and workforce
17 development, economic development, and business to that
18 change. That all started with the good foundational work
19 that we embarked upon together, so congratulations for being
20 forward-thinking. Thank you for allowing us to be partners
21 with you, and I look forward to what we are going to
22 accomplish together in the future. Thank you.

23 MS. SISK: First of all, I would have to say I am
24 extremely humbled by this acknowledgment. It has been a year
25 of very hard work. I would like to thank my staff at EDD and

1 the delightful folks at the Energy Commission, who have been
2 wonderful to work with. They are real gems. This model
3 really is something that should be replicated nationwide, it
4 is one that is being recognized at the highest level in
5 Washington, D.C., and I am extremely proud to be a part of
6 that. And thank you very much.

7 MR. McMAHON: I would also like to thank the
8 Commission for the opportunity to work together on this
9 initiative and I would also like to thank Panama and Chris
10 for the really great assistance that they have given us
11 through the development phases of the project. And we will
12 train over 3,400 workers with this initiative, so thank you.

13 CHAIRPERSON DOUGLAS: Wonderful. Please come
14 forward, I have got your resolutions here. And we will take
15 the photo and let you go on your way. [Applause]

16 Very well, going back to our agenda, Commissioners,
17 we have one change to the agenda, Item 3A is already set for
18 next week's business meeting, so we will not be taking up
19 Item 3A today. There are no other changes to the agenda.

20 Item 1. ENVIA SYSTEMS, INC. Possible approval of
21 Agreement ARV-09-004, awarding \$1 million to Envia Systems,
22 Inc., to develop high energy density lithium batteries for
23 electric vehicles and plug-in hybrid vehicles. Ms. Allen.

24 MS. ALLEN: Good morning, Chairman Douglas and
25 Commissioners. This is the second in the series of the

1 proposals that came in under the solicitation for ARRA
2 matched and ENVIA would be developing a high energy density
3 battery of considerable advancement over current battery
4 technology for use in electric vehicles and other
5 applications. And we awarded them \$1 million contingent upon
6 their successful receipt of an award from the Federal
7 Government, and they did receive \$4 million from ARPA-E for
8 this project. And so this will be conducted in California,
9 and they will be, as the advancements -- they are working
10 with Argon National Lab -- and as the advancements are
11 completed, they will be incorporating this into a
12 manufacturing line here in California. And so they will be
13 expanding their manufacturing capacity here in California for
14 this battery technology. It has the potential to increase
15 the energy density of electric vehicle batteries by three
16 times what is currently considered to be the current
17 advancements, and even advancements within the foreseeable
18 future, so this is a considerable jump in energy density
19 technology. They also have an agreement for the Volt to
20 incorporate this battery into Volt manufacturing as they
21 complete the technology, so it has some widespread
22 applications.

23 CHAIRPERSON DOUGLAS: Thank you, Ms. Allen.
24 Questions or comments.

25 COMMISSIONER EGGERT: This is, I guess, a question.

1 This looks like a very exciting project. The \$1 million of
2 the Energy Commission's funding, do we know what that will go
3 towards in terms of the R&D aspects of this?

4 MS. ALLEN: Our Statement of Work right now is it
5 is all for the actual -- our money specifically is going into
6 the equipment that will be used to do the battery
7 manufacturing, so, in order for them to do the additional
8 testing and development that they are required, they will
9 have to put in some advancements in their manufacturing
10 capability. So our funds are actually going for equipment.
11 Some of it will also be used for staff time to do the
12 development work. And then there is a little bit that goes
13 to subcontract with Argon National Labs for their testing of
14 the battery.

15 COMMISSIONER EGGERT: And then to the extent that
16 they are successful moving towards the manufacturing phase,
17 what is the timing on that?

18 MS. ALLEN: What they plan to do is, as they
19 complete, they are going to work on the cathode portion
20 first, and then they will switch over to the anode
21 development. So as they complete the various stages of the
22 development and testing on this, they will incorporate it as
23 they go along. So theoretically then everything would be
24 completed and completely implemented into their manufacturing
25 line by the end of this project, which would be 2013.

1 COMMISSIONER EGGERT: Okay. I would just say, I
2 mean, yeah, energy density is definitely one of the most
3 significant challenges for battery electric vehicles and, so,
4 to the extent that they are able to achieve these levels of -
5 I think it says 400-watt hours per kilogram --

6 MS. ALLEN: Yes.

7 COMMISSIONER EGGERT: -- that would be a
8 significant accomplishment and definitely move us quite a bit
9 closer to a commercially viable vehicle that can get adequate
10 range and such, so this is really exciting and it is great to
11 see that we are also partnering again with the Federal
12 Government here through the ARPA-E Program, which I think is
13 specifically focused on trying to get these technologies from
14 the lab into the marketplace.

15 MS. ALLEN: It has the additional -- they are also
16 projecting that there will be a reduction in cost of the
17 battery that would then translate into - according to their
18 estimates, based on -- I think it was based on the Volt, that
19 would reduce the price by about 17 percent of the vehicle.

20 COMMISSIONER EGGERT: Excellent. Thank you.

21 COMMISSIONER WEISENMILLER: I think the really
22 interesting part of this, I mean, I remember in the '60s when
23 I was more training in chemistry, and at that point it was
24 pretty clear that the battery technology was very mature and
25 it was very hard on a margin to push that, and people have

1 been working for decades since then, and it is really
2 interesting that with the advent of nanotechnology that it
3 certainly came out of Feynman's idea and certainly he was one
4 of the more creative scientists that we have had, you know,
5 behind centuries, but anyway that we want to look at what
6 happens when you go to really small scale, that it is very
7 exciting that this is really allowing us to really change the
8 technology limits of batteries, which is going to be critical
9 for a lot of the green technology. So certainly this sounds
10 like a very exciting project and I would like to move it.

11 COMMISSIONER EGGERT: I will second.

12 CHAIRPERSON DOUGLAS: All in favor?

13 (Ayes.)

14 This item is approved. Thank you, Ms. Allen.

15 MS. ALLEN: Thank you.

16 CHAIRPERSON DOUGLAS: Item 2. Energy Efficiency
17 and Conservation Block Grant Awards. Possible approval of 11
18 Energy Efficiency and Conservation Block Grant (EECBG)
19 Program grant agreements awarding \$1,433,082 in American
20 Recovery and Reinvestment Act of 2009 funds. Ms. Godfrey.
21 And, Commissioners, we will take up items 2A through K.

22 MS. GODFREY: Good morning, Chairman and
23 Commissioners. I am Deborah Godfrey and I am here with the
24 11 grants under Direct Equipment Purchase Option. As you
25 recall, there are three ways to apply for this grant, the

1 Energy Efficiency Projects, which will be Item 3, the
2 Municipal Financing Program, and these which are by far our
3 most popular application, the Direct Equipment Purchase. We
4 established the minimum grants of \$25,000 to cities, and
5 \$50,000 to counties, and while some Applicants were not able
6 to identify enough projects to fully utilize their grant,
7 with staff assistance, we were successful with these 11, they
8 all came within \$51 of their full grant allocation. Six of
9 the 11, Morro Bay, Monterey, Loma Linda, Foster City, Agorua
10 Hills, and Tehama County, all committed to a cost share.
11 Combined, these projects represented an annual reduction of
12 greater than 1.2 kilowatt hours, 460 tons of CO₂ reduction,
13 and an annual energy cost savings of approximately \$180,000.
14 And we request your approval.

15 CHAIRPERSON DOUGLAS: Thank you, Ms. Godfrey.
16 Questions or comments?

17 COMMISSIONER EGGERT: In terms of the EECSBG
18 funding, both maybe I guess from this item and the next, if
19 and when these are approved, what does that represent in
20 terms of the percentage of the total that had been applied
21 for?

22 MS. GODFREY: It represents about 97 percent of the
23 allocated \$34.5 million, roughly, to these 310 eligible
24 cities and counties, and 279 of them applied. So that is
25 quite a significant amount. And combined, that was roughly

1 \$31.4 million, and with today's items, we have allocated
2 about \$10.5 million towards these projects.

3 COMMISSIONER EGGERT: Okay.

4 CHAIRPERSON DOUGLAS: And, Ms. Godfrey, so out of
5 the 200 plus contracts that have been approved, this would
6 represent how many?

7 MS. GODFREY: The total up to this point?

8 CHAIRPERSON DOUGLAS: Yes.

9 MS. GODFREY: Seventy-six.

10 CHAIRPERSON DOUGLAS: Seventy-six.

11 MS. GODFREY: And we have another 24 slated for the
12 next business meeting and 108 the business meeting after
13 that.

14 COMMISSIONER EGGERT: Well, I guess I would just
15 say, that is a great accomplishment and, so, I guess knowing
16 that we are going to be seeing quite a few of these over the
17 next several weeks, you know, just a recognition that each of
18 these does represent, as you said, you know, an improvement
19 of energy efficiency, a cost savings, allows us to meet our
20 energy and environmental goals, so it looks like a great SEP.

21 COMMISSIONER WEISENMILLER: Precisely. I think the
22 ability to sort of move the money from the federal government
23 out to the affected cities and counties, and again, for very,
24 certainly relatively small sums of money to work through all
25 the administrative aspects, again, I think this was critical

1 and, again, a key part of the greening of our economy. So I
2 certainly thank the staff for their hard work on these.

3 COMMISSIONER EGGERT: I will move the item.

4 COMMISSIONER WEISENMILLER: I will second.

5 CHAIRPERSON DOUGLAS: All in favor?

6 (Ayes.)

7 This item is approved.

8 Item 3. Energy Efficiency and Conservation Block
9 Grant Awards. Possible approval of 4 Energy Efficiency and
10 Conservation Block Grant (EECBG) Program grant agreements.
11 We will take up Items 3B through E.

12 MS. GODFREY: Thank you. Here with the third
13 group, the Energy Efficiency and Conservation Block Grant
14 applications under the Energy Efficiency Project Option.
15 These applications, as opposed to the previous, will require
16 the Applicant to identify the projects, provide feasibility
17 studies, other supporting documentations, and were
18 considerably more labor intensive for both the Applicant and
19 staff. Of these four applications, two are collaborative,
20 which represent a total of 14 entities, total. And some of
21 them committed to quite a significant cost share. There is
22 an annual savings of \$425,000 kilowatt hours, 160 tons of CO₂
23 reduction, and about \$57,000 in annual energy cost savings.
24 These projects demonstrate some of the more innovative
25 thinking by the Applicants and, once again, we would like to

1 commend the quality of the projects, and especially the extra
2 effort needed to coordinate these collaborative applications.
3 And we request your approval.

4 CHAIRPERSON DOUGLAS: Thank you. Questions or
5 comments? Again, the project model here requires obviously
6 more work, requires a feasibility study and a developed
7 project. Is that correct?

8 MS. GODFREY: That is correct -- on both the part
9 of the Applicants and staff.

10 CHAIRPERSON DOUGLAS: Right.

11 COMMISSIONER EGGERT: And actually, just in terms
12 of the actual performance of these projects, is that part of
13 the valuation contract that we will be considering, in terms
14 of the actual savings?

15 MS. GODFREY: Yes, it is.

16 COMMISSIONER EGGERT: Okay, excellent. I guess I
17 will move this SEP, move the item.

18 COMMISSIONER WEISENMILLER: I was just going to
19 make the observation that, Item D, with the Collaborative,
20 with the home energy assessments, I think again it will
21 provide an interesting option for us in terms of working
22 through the Skinner Bill, in terms of I think we all agree we
23 are trying to really address the existing building stock is
24 critical, so again I am really looking forward to hearing
25 some of this also from that and it is great that the cities

1 have banded together, I mean, particularly when you look at
2 the sums of some of these by doing the collaboratives, I am
3 sure that involves some degree of working together costs that
4 is going to make it much easier, again, to move the funding
5 out to the smaller entities. So I will second the motion.

6 CHAIRPERSON DOUGLAS: All in favor?

7 (Ayes.)

8 This item is approved.

9 MS. GODFREY: Thank you.

10 CHAIRPERSON DOUGLAS: And I agree with you,
11 Commissioner Weisenmiller, that project is an innovative one
12 and it will be very interesting to get the results from that
13 project.

14 Item 4. Minutes. Approval of the April 21st, 2010
15 Business Meeting Minutes.

16 COMMISSIONER EGGERT: I will move the item.

17 COMMISSIONER WEISENMILLER: I will second.

18 CHAIRPERSON DOUGLAS: All in favor?

19 (Ayes.)

20 The Minutes are approved.

21 Item 5. Is there any presentation or discussion on
22 the part of Commissions or Committees?

23 COMMISSIONER WEISENMILLER: I was just going to
24 note one item for folks, and that is that the MOU has been
25 executed between the Energy Commission, Fish & Wildlife

1 Service, Bureau of Land Management, California Department of
2 Fish & Game, and the National Fish & Wildlife Foundation to
3 essentially establish the mitigation accounts to implement
4 that part of SBX 834, the trust fund. So at this stage,
5 there is a new tool that the Applicants and the Siting
6 Committees can use to mitigate the impacts of the projects.
7 And at this point, part of the MOU will be to publicize the
8 availability of this mitigation trust fund to all the
9 associated environmental groups or land purchase groups. So,
10 anyway, that outreach activity is just starting, but I think
11 a lot of thanks should go to Terry and to Roger for moving
12 this forward. I think it has been a fairly quick turnaround
13 to get the MOU in place and now to get the mitigation trust
14 funds established.

15 CHAIRPERSON DOUGLAS: Great, thank you.

16 COMMISSIONER EGGERT: Just a couple of brief items.
17 As many of you know, we launched the Cash For Appliances
18 Program last Thursday and it has generated a tremendous
19 amount of interest. I think we have given at least over a
20 dozen interviews on the topic, radio, TV, and such. It
21 appears to be going well, we have talked to a number of the
22 retailers, they are moving product at a rate that they have
23 not seen in quite a while, of course, the most efficient of
24 the appliances that we have targeted, and I just want to
25 commend the staff, those that had worked on that project. I

1 think it is really a great example of what can be done when
2 you take the time to think through all of the things that
3 might go wrong and try to anticipate and plan for them. I
4 also -- on Earth Day, that evening, I went to a city hosted
5 meeting at City of Davis where they were presenting on
6 different financing options for energy efficiency, and there
7 was a representative there from the CaliforniaFIRST team,
8 renewable funding, that was sort of presenting on the options
9 that would be available to homeowners. And the level of
10 interest from city residents that showed up, I think there
11 was maybe about 40 or 50, was significant. So I was really
12 excited to see that project kick off and definitely a lot of
13 interest and enthusiasm to getting moving on these retrofits.

14 CHAIRPERSON DOUGLAS: Thank you, Commissioner. And
15 I understand, obviously that is a first come, first serve
16 program, and I understand that our website will be showing
17 information on how much money is actually left?

18 COMMISSIONER EGGERT: Yeah, that is correct. So we
19 anticipate between about 300,000 to 400,000 rebates will be
20 issued, and there will be a tracker on the website that will
21 indicate how many have actually been processed. So folks can
22 check that before they head out to buy their new
23 refrigerator.

24 CHAIRPERSON DOUGLAS: Very good. Well, thank you.

25 Item 6. Chief Counsel's Report. Do you have a

1 report?

2 MR. LEVY: I do, Commissioners. I am not delighted
3 to report, but I suppose it is my obligation to report that
4 the day after tomorrow we lose 35 years of experience,
5 especially in the Contracts Office, a unit of the Legal
6 Office, Mike Heintz is retiring. It is going to be a big
7 burden for our office to lose his level of expertise and his
8 engagement and experience, but today we are having a small
9 get together later on, we hope you can attend to celebrate
10 his contribution to this agency.

11 CHAIRPERSON DOUGLAS: Thank you, Mr. Levy.
12 Obviously, Mike Heintz has been a tremendous asset to our
13 Legal Department and it is a loss to see him retire, and yet
14 I guess we do have to let people retire if they decide that
15 is what they need to do, so we will miss him, and I will
16 certainly try to be there.

17 MR. LEVY: Thank you very much.

18 CHAIRPERSON DOUGLAS: Item 7. Executive Director's
19 Report.

20 MS. HALL: Good morning, this is Valerie Hall
21 covering for Melissa Jones. Melissa is this morning at a
22 Budget Hearing for the Assembly and will be at a separate
23 Budget Hearing for the Senate tomorrow morning, in which the
24 Energy Commission has several BCP's on both legislative
25 hearing agendas, that would allow the Energy Commission to

1 better be able to carry out new important obligations. So we
2 look forward to positive results on those.

3 CHAIRPERSON DOUGLAS: Thank you, Ms. Hall.

4 Item 8. Public Advisor's Report.

5 MS. JENNINGS: I have nothing to report, thank you.

6 CHAIRPERSON DOUGLAS: Thank you.

7 Item 9. Public Comment. I have one blue card for
8 public comment, Mr. John Cota with the Ehlert Business Group.

9 MR. COTA: Madam Chair, am I being picked up? Yes?
10 Peter? Madam Chair, Commissioners, good morning. My name is
11 John Cota and I am here today to talk to you about an
12 upcoming agenda item. Harriet reminded me this morning that
13 this is not an agenda item for today and unfortunately, due
14 to circumstances beyond our control, I am forced to take this
15 format which is public comment. I did not remember, but I
16 suddenly remembered this morning after Harriet reminded me,
17 during the public comment period, my welcome is five minutes.
18 I assure you I will not overstay my welcome. I have
19 eliminated 80 percent of what I had to present to you. So
20 let me start, page 1, and I would like to read this into the
21 record: "(1) Ehlert Business Group, in conjunction with
22 Peters Shorthand Reporting, has bid on this contract," and we
23 are referring to the production and timely delivery of the
24 siting hearing transcripts contract; "(2) Peters Shorthand
25 Reporting has an exemplary record of serving the Energy

1 Commission for over 15 years; (3) no other bidder for this
2 contract has this type of track record."

3 MR. LEVY: Pardon me, Commissioners and the
4 gentleman who is speaking, I am unaware of the status of the
5 contract, I do not know if it has been approved already or if
6 it is on an upcoming agenda item, and if it is impending, the
7 gentleman should not be addressing the Commission because it
8 is not publicly noticed. I would like to find out the status
9 of the item before we receive further comments.

10 MR. COTA: Counsel, I believe I said, and if I did
11 not, I will say it, I wanted to speak about a proposed award
12 and, as such, I feel I have the entitlement to speak about
13 it. It is a proposed award.

14 MR. LEVY: The proposed award is not on the agenda
15 yet, it will be on the agenda. It is not appropriate to
16 address the Commission on a proposed award that is
17 forthcoming before the Commission. The item has not been
18 noticed and other stakeholders are not here to be able to
19 participate.

20 MR. COTA: Madam Chair?

21 CHAIRPERSON DOUGLAS: Cheryl, you are available to
22 talk about the issue, but what process exists for addressing
23 this gentleman's concerns?

24 MS. RAEDEL: Yes, it is the business meeting and we
25 are scheduled for May 5th business meeting for this contract,

1 and I can certainly give you a briefing on all the issues
2 regarding this contract. But -

3 MR. LEVY: If it is going to be heard on May 5th, I
4 think the gentleman should be directed back to staff to
5 discuss with staff whatever concerns he has and if there are
6 issues that he wishes to bring up on May 5th, he can
7 certainly do that in the proper process.

8 CHAIRPERSON DOUGLAS: Are you able to be here on
9 May 5th?

10 MR. COTA: Madam Chair, I am, but I wish to apprise
11 you of a situation, and the situation is this, Mr. Ferrin,
12 your Contracting Officer, has proposed to award this to
13 California Reporting because he deemed us as not responsive
14 and unreasonable. We have repeatedly repeatedly phoned Mr.
15 Ferrin, asking him to please give us the opportunity to sit
16 down, explain our bid to you, and we will show you that we
17 are not these things. He has refused. He has not returned
18 our calls, etc. etc. So the reason I brought this up today
19 is I felt forced to come here and give you our input on this
20 before -- before, in our opinion -- a misuse of public funds
21 is committed by this committee, that is why I am here.

22 CHAIRPERSON DOUGLAS: Thank you. Cheryl, could you
23 ensure that Mr. Cota gets this meeting and has this
24 opportunity to meet with staff?

25 MS. RAEDEL: I will.

