



January 12, 2012

1516 Ninth Street
Hearing Room A – First Floor
Sacramento, California 95814

10 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER THE FOLLOWING ITEMS:

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. COUNTY OF LOS ANGELES INTERNAL SERVICES DEPARTMENT. Possible approval of Amendment 2 to Contract 400-09-024 with the County of Los Angeles Internal Services Department to shift funds to reporting and program management tasks required to effectively complete the project. The shifts will allow the Contractor team to provide better oversight and management of subcontractor work and continue coordination with the utilities on program implementation and data sharing. The total amount to be reallocated is \$217,450. (ARRA funding.) Contact: Samuel Lerman.
 - b. UNIVERSITY OF CALIFORNIA, RIVERSIDE. Possible approval of Amendment 2 to Contract 500-07-012 with the Regents of the University of California on behalf of the Riverside Campus to extend the contract by 12 months to March 29, 2013. The extension will permit continued coordination with the California Air Resources Board on this comprehensive program to evaluate the impact of different natural gas compositions on engine/vehicle performance. The total contract amount of \$400,000 is unchanged. (PIER natural gas funding.) Contact: Marla Mueller.
 - c. CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE. Possible approval of Amendment 1 to Contract 600-08-009 with the California Community Colleges Chancellor's Office to revise the scope of work and budget and extend the term from June 30, 2012 to January 3, 2014. The agreement includes funding for curriculum development, instructor training, and labor market analysis for the alternative fuel and advanced vehicle technology industry. The total contract amount of \$4.5 million is unchanged. (ARFVTF funding.) Contact: Pilar Magana.
 - d. CR&R INC. Possible approval of California Environmental Quality Act documents and findings for Agreement ARV-10-052 for a grant to CR&R, Inc. to

allow work to proceed on the construction and operation of a new facility in Perris, California that will produce pipeline quality biomethane from the non-recyclable organic fraction of municipal solid waste using a two-stage anaerobic digestion process. Contact: Rhetta deMesa.

- e. CITY OF LIVINGSTON. Possible approval of Amendment 1 to Agreement CBG-09-093 with the City of Livingston to extend the term of the grant from January 30, 2012 to June 14, 2012, to reduce the number of replacement well pumps from five to three, to add ‘soft starters,’ and to retrofit approximately 44 high pressure sodium streetlights to LEDs. The total grant amount of \$77,464 is unchanged. (ARRA funding.) Contact: Barry McLeod.
- f. CITY OF SAN CARLOS. Possible approval of Amendment 1 to Agreement CBG-09-095 with the City of San Carlos for a no-cost time extension from February 3, 2012 to June 14, 2012 to complete streetlight and interior light replacement projects. The scope of work, budget, and total grant amount are unchanged. (ARRA funding.) Contact: Miki Crowell.
- g. CITY OF BRAWLEY. Possible approval of Amendment 1 to Agreement CBG-09-061 with the City of Brawley to extend the term of the grant from March 2, 2012 to June 14, 2012. The project includes replacing six motors at the city water treatment plant with higher efficiency motors and installing variable frequency drives. (ARRA funding.) Contact: Cheng Moua.
- h. CITY OF GRAND TERRACE. Possible approval of Amendment 1 to Agreement CBG-09-072 with the City of Grand Terrace to revise the scope of work, reallocate the budget, and extend the term of the grant from January 12, 2012 to June 14, 2012. The amendment removes projects at the county-operated fire station that are not under the city’s control, and at a child care facility where county grant funds will pay for the project. The lighting retrofit project has been reduced due to compatibility and light output issues. As a result, the total grant amount is reduced from \$69,640 to \$38,086. (ARRA funding.) Contact: Cheng Moua.
- i. CITY OF CANYON LAKE. Possible approval of Amendment 1 to Grant Agreement CBG-09-069 with the City of Canyon Lake to revise the scope of work, reallocate the budget, and extend the term of the grant from January 31, 2012 to June 14, 2012. The planned traffic signal retrofit is removed from the scope of work due to ongoing street construction. HVAC and interior lighting measures are being revised to take advantage of funds from the removal of the traffic signal project. The overall budget is reduced from \$57,674 to \$50,924. (ARRA funding.) Contact: Cheng Moua.
- j. CITY OF MARINA. Possible approval of Amendment 1 to Agreement CBG-09-117 with the City of Marina for a no cost time extension from February 20, 2012 to June 14, 2012 to complete the city’s streetlight replacement project. There are no other changes to the agreement. (ARRA funding.) Contact: Elizabeth Shirakh.

- k. WESTPORT POWER. Possible approval of Amendment 1 to extend the contract term by nine months and reallocate the budget to extend testing of a high pressure direct compression engine designed to optimize performance and minimize emissions. (PIER natural gas funding.) Contact: Diana Mircheva.
- l. PAX SCIENTIFIC. Possible approval of Amendment 1 to Agreement PIR-10-020 to change partners and key personnel, reallocate the budget, and extend the term of the grant from September 1, 2013 to September 1, 2014. The project seeks to reduce the fan energy used by data center servers by at least 15 percent by redesigning the fan blades. The total grant of \$287,587 is unchanged. (PIER electricity funding.) Contact: Paul Roggensack.
2. ENERGY COMMISSION COMMITTEE APPOINTMENTS. Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)
3. BENNINGFIELD GROUP INC. Possible approval of Contract 400-11-001 for \$179,000 with Benningfield Group Inc. for one year to conduct marketing surveys of 26 Title 20-regulated appliance types sold in California via the Internet, via catalogs, and in wholesale/retail outlets to determine compliance with Energy Commission energy efficiency standards. (SEP and ERPA funding.) Contact: Tovah Ealey. (5 minutes)
4. CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT. Possible approval of Amendment 1 to Contract 600-08-008 with the California Employment Development Department to add \$2.75 million and extend the term from December 31, 2012 to December 31, 2014. The scope of work will be refined to change from one-time deliverables to allow multiple rounds of workforce training, regional industry cluster planning, and workforce training demand research. (ARFVTF funding.) Contact: Darcie Chapman. (5 minutes)
5. STION CORPORATION. Possible Energy Commission consent for Stion Corporation to obtain up to \$115 million in financing from private sources to fund business expansion in California and Mississippi. Loan documents between the Energy Commission and Stion Corporation contain language that requires Stion to obtain written permission from the Energy Commission prior to incurring additional debt. SAFE-BIDCO, the Financial Development Corporation responsible for the financial review and underwriting of the Stion Corporation loan, has recommended the approval of this additional debt in an Action Memorandum to Energy Commission staff. Contact: Marcia Smith. (10 minutes)
6. APPLIANCE EFFICIENCY ENFORCEMENT RULEMAKING. Possible approval of an Order Instituting Rulemaking to establish regulations to implement the enforcement provisions in SB 454 (Pavley, Chapter 591, Statutes of 2011), allowing the Energy Commission to assess civil penalties and fines for violations of California appliance efficiency standards. Contact: Gary Fay. (5 minutes)
7. ORDER INSTITUTING RULEMAKING (12-OIR-1). Possible adoption of an Order Instituting Rulemaking to consider changes to the Emission Performance Standard (EPS) regulations, Title 20, California Code of Regulations, section 2900 et seq. The rulemaking proceeding would, among other things, examine whether changes to the regulations are necessary to ensure adequate review of investments in non-EPS compliant facilities, and whether additional changes to the regulations are necessary pursuant to Public Utilities Code 8341(f). Contact: Melissa Jones. (10 minutes)

8. ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT GUIDELINES. Possible adoption of changes to the Energy Efficiency and Conservation Block Grant (EECBG) Program Guidelines to award the remaining EECBG funding through other grant programs, including subsequent phases of the EECBG. Award of a formula-based EECBG grant will not affect eligibility to apply for remaining EECBG funding under any such grant programs, which are considered independent funding opportunities. The Energy Commission will provide information on additional grant opportunities with EECBG funding through future solicitations. Contact: Amir Ehyai. (5 minutes)
9. NEW SOLAR HOMES PARTNERSHIP (NSHP) GUIDEBOOK. Possible adoption of proposed revisions to the *New Solar Homes Partnership Guidebook*, Fourth Edition. The *Guidebook* describes the requirements for participating in NSHP and receiving incentives for installing eligible solar energy systems on new residential construction located in specified investor-owned utility territories. Contact: LeQuyen Nguyen. (5 minutes)
10. DEVELOPING RENEWABLE ENERGY ON STATE PROPERTY. Possible approval of the Lead Commissioner Report, *Developing Renewable Generation on State Property - Installing Renewable Energy on State Buildings and Other State-Owned Property*. This report was prepared as part of the *2011 Integrated Energy Policy Report* proceeding. Contact: Heather Raitt. (10 minutes)
11. NEGATIVE DECLARATION FOR REGULATIONS, INCLUDING ENERGY EFFICIENCY STANDARDS, FOR BATTERY CHARGER SYSTEMS AND SELF-CONTAINED LIGHTING CONTROLS. Possible adoption of the proposed Negative Declaration, including a Finding of No Significant Impact under the California Environmental Quality Act (CEQA), for the proposed regulations, including energy efficiency standards for battery charger systems and self-contained lighting controls. This adoption hearing comes after the end of the mandatory 30-day comment period for the Negative Declaration, as required by CEQA. Contact: Michael Leao. (5 minutes)
12. REGULATIONS, INCLUDING EFFICIENCY STANDARDS, FOR BATTERY CHARGER SYSTEMS AND SELF-CONTAINED LIGHTING CONTROLS. Possible adoption of proposed amendments to the Appliance Efficiency Regulations in Title 20 of the California Code of Regulations relating to energy efficiency standards and other requirements for battery charger systems and self-contained lighting controls. This adoption hearing comes after the end of the mandatory 15-day comment period for the regulations required by the Administrative Procedure Act. Contact: Michael Leao. (20 minutes)
13. **Minutes:** Possible approval of the December 14, 2011, Business Meeting Minutes.
14. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.

15. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
- a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW);
 - b. *Public Utilities Commission of California* (Federal Energy Regulatory Commission, Docket No. EL10-64-000); *and Southern California Edison Company, et al.* (Federal Energy Regulatory Commission, Docket No. EL10-66-000);
 - c. *BNSF Railway Company v. US Department of Interior, California Energy Commission* (U.S. District Court Central District of California-Riverside, CV 10-10057 SVW (PJWx));
 - d. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985);
 - e. *Communities for a Better Environment, Robert Sarvey v. California Public Utilities Commission, Energy Resources Conservation and Development Commission, Real Parties in Interest, Pacific Gas and Electric Company, Contra Costa Generating Station, LLC* (California Supreme Court, S194079).
16. The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.
17. **Executive Director's Report.**
18. **Public Adviser's Report.**
19. **Public Comment:** People may speak up to five minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code §§11128.5, 11129.)