



**March 28, 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. **APPLICATION FOR A COMPLIANCE OPTION FOR THE ALTHERMA AIR-TO-WATER SOURCE HEAT PUMP.** Possible approval of a Compliance Option that would establish the equipment efficiency ratings necessary to calculate performance of the Altherma heat pump system for combined space heating, space cooling and water heating. The compliance option will show compliance with the residential building energy performance path under the Building Energy Efficiency Standards. The application for a Compliance Option has been submitted by the manufacture of the system, Daikin AC (Americas), Inc., and is consistent with the Compliance Options procedures in Section 10-109 of the Standards. This was item number 14 on the Energy Commission Business Meeting Agenda for March 14, 2012, and was continued to this Business Meeting. The WebEx recording of the discussion of this item at the March 14<sup>th</sup> Meeting is available on the Energy Commission's website at [http://www.energy.ca.gov/business\\_meetings/index.html](http://www.energy.ca.gov/business_meetings/index.html). The back-up materials provided for this item at the March 14<sup>th</sup> Meeting and public comments on the item are available at [http://www.energy.ca.gov/business\\_meetings/2012\\_packets/2012-03-14/Item\\_14\\_Altherma\\_Air-To-Water\\_Source\\_Heat\\_Pump/](http://www.energy.ca.gov/business_meetings/2012_packets/2012-03-14/Item_14_Altherma_Air-To-Water_Source_Heat_Pump/). Contact: David W. Ware.
2. **SANTA CLARA SC-1 DATA CENTER PHASE 2 PROJECT** (Docket No. 11-SPPE-01). Possible adoption of the Committee's Proposed Decision on the Santa Clara SC-1 Data Center Phase 2 Project. The proposed project consists of 16 diesel-fueled backup emergency generators and ancillary equipment in addition to the existing 16 permitted diesel-fueled backup emergency generators already installed at the Data Center which is located in an industrial area in the city and county of Santa Clara, California. Each backup generator has a capacity to generate 2.25 megawatts (MW) for a combined gross generating capacity of 72 MW. The project will not export electricity onto the grid. Contact: Ken Celli. (30 minutes)
3. **RPS ELIGIBILITY OF BIOMETHANE.** Consideration and possible approval of a suspension to previously adopted guidelines in the RPS Eligibility Guidebook that allow electric generation facilities to be certified as eligible for the Renewables Portfolio Standard if the facilities use biomethane to generate electricity. Contact: Kate Zocchetti. (15 minutes)

4. **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).
  - f. *Rick Tyler, et al v. Governor of California, Edmund G. Brown, Jr., et al.* (Alameda County Superior Court, RG12619687);
  - g. *California Unions for Reliable Energy v. Energy Resources Conservation and Development Commission, Real Parties in Interest Ormat Nevada, Inc., ORNI 18 LLC, and ORNI 19 LLC* (Alameda County Superior Court, RG 12610669).

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.

5. **Executive Director's Report.**
6. **Public Adviser's Report.**
7. **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.

If you require special accommodations, contact Lourdes Quiroz at 916-654-5146, five days before the meeting.

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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.)