



**October 31, 2012**

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

**9 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. Possible approval of Amendment 1 to Agreement PIR-017-01 with CO2Nexus Inc. for a 12-month no-cost time extension to March 11, 2014, and to update the terms and conditions of the grant. This extension is needed to allow for one year of field testing and monitoring of a novel carbon dioxide-based industrial laundry machine. (PIER natural gas funding.) Contact: Anish Gautam.
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. ELECTRIC PROGRAM INVESTMENT CHARGE (EPIC) TRIENNIAL INVESTMENT PLAN. Possible adoption of the *Electric Program Investment Charge Proposed 2012-14 Triennial Investment Plan*, Staff Final Report. This triennial investment plan presents the Energy Commission's strategy for administering \$368.8 million to fund applied research and development, technology demonstration and deployment, and market facilitation from 2012 to 2014 under the EPIC Program. In addition, this triennial investment plan proposes EPIC funds be available for the New Solar Homes Partnership (NSHP). The CPUC EPIC Phase 2 Decision 12-05-037 established the purposes and governance of the EPIC Program funding and designated the Energy Commission as one of the four administrators of the EPIC Program. The Energy Commission's development work on the EPIC investment plan was conducted in accordance with Senate Bill 1018 (Chapter 39, Statutes of 2012) and the Energy Commission's broad authority under Public Resources Code Sections 25216(c) and 25401. As part of its consideration and adoption of the EPIC investment plan the Energy Commission may suggest and adopt changes to the investment plan at the Business Meeting. In addition, the Energy Commission may authorize the Executive Director to file the adopted investment plan with the CPUC and to make adjustments to the plan as part of the CPUC EPIC proceeding. Contact: Laurie ten Hope. (3 hours)
4. **Minutes:** Possible approval of the October 10, 2012, Business Meeting Minutes.
5. **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.

6. **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. *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)).
- c. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985).
- d. *Rick Tyler, et al v. Governor of California, Edmund G. Brown, Jr., et al.* (Alameda County Superior Court, RG12619687).
- e. *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).
- f. *Asphalt Roofing Manufacturers Association v. California Energy Commission* (Sacramento County Superior Court, 34-2012-80001195).
- g. *City of Carlsbad v. Energy Resources Conservation and Development Commission (Carlsbad Energy Center, Real Party in Interest)* (California Supreme Court, S203634 and S204970).
- h. *California Independent System Operator Corporation* (Federal Energy Regulatory Commission, Docket No. ER12-2634).

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.

7. **Executive Director's Report.**

8. **Public Adviser's Report.**

9. **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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Questions about participation in the Business Meeting should be directed to:

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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).