



September 10, 2014

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

10 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

1. **ENERGY COMMISSION COMMITTEE APPOINTMENTS.** Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (Staff presentation: 5 minutes)
2. **HIGH DESERT POWER PROJECT (97-AFC-1C).** Proposed order granting the petition to amend requesting to use alternative water supplies other than State Water Project water or recycled water from the Victor Valley Water Reclamation Authority. Contact: Joseph Douglas. (Staff presentation: 10 minutes)
3. **SACRAMENTO MUNICIPAL UTILITY DISTRICT.** Proposed order approving the Executive Director's recommendation that the Sacramento Municipal Utility District's contract with CalEnergy, LLC be found compliant with the Emission Performance Standard for Local Publicly Owned Electric Utilities pursuant to SB 1368 and California Code of Regulations, Title 20, Sections 2900-2913. Contact: Michael Nyberg. (Staff presentation: 5 minutes)
4. **ORDER INSTITUTING RULEMAKING PROCEEDING.** Proposed Order Instituting Rulemaking to update the Building Energy Efficiency Standards. The Building Energy Efficiency Standards are contained in the California Code of Regulations, Title 24, Part 6, with associated administrative provisions in Part 1, Chapter 10, and the associated CalGreen provisions are in Part 11. This order would include an update to these parts, to be accomplished on a schedule for inclusion in the next California Building Standards Commission's triennial update. The Building Standards Commission is expected to approve the next triennial updates in January 2016, and approved updates will have an effective date of January 1, 2017. Contact: Peter Strait. (Staff presentation: 5 minutes)
5. **PILOT-SCALE AND COMMERCIAL-SCALE ADVANCED BIOFUELS PRODUCTION FACILITY GRANTS, PON-13-609.** This grant solicitation sought proposals for the development of new, or the modification of existing, California-based biofuel production facilities that can sustainably produce low carbon transportation fuels. (ARFVTP funding) Contact: Bill Kinney. (Staff presentation: 10 minutes)
 - a. **GFP ETHANOL, LLC.** Proposed resolution approving Agreement ARV-14-021 with GFP Ethanol, LLC dba Calgren Renewable Fuels for a \$3,000,000 grant to develop a program that provides an expanded and reliable supply of grain

sorghum feedstock for in-state production of low carbon intensity transportation fuel.

- b. ALTAIR FUELS, LLC. Proposed resolution approving Agreement ARV-14-022 with AltAir Fuels, LLC for a \$5,000,000 grant to expand production of renewable diesel fuels at its facility from 30 million gallons per year to 40 million gallons per year, and allow for processing of additional feedstocks. The proposed project will retrofit three additional tanks (feedstock and finished renewable diesel tanks) and the associated infrastructure necessary to achieve the 40 million gallon per year production goal.
6. ALTERNATIVE ENERGY SYSTEMS CONSULTING, INC. Proposed resolution approving Agreement 600-14-002 with Alternative Energy Systems Consulting, Inc for a \$249,999 contract to develop a Statewide Strategic Plan to guide the deployment and funding of electric vehicle charging station (EVCS) infrastructure in order to meet the goals of the Governor's Executive Order B-16-2012 and Zero-Emission Vehicles (ZEV) Action Plan. (ARFVTP funding) Contact: Leslie Barody. (Staff presentation 5 minutes)
7. LEYDEN ENERGY, INC. Proposed resolution approving the termination with cause of Agreement ARV-10-015 with Leyden Energy, Inc. due to Leyden Energy, Inc. entering into a General Assignment for the Benefit of Creditors and subsequently selling company assets necessary for the successful completion of the Agreement. (ARFVTP funding) Contact: Jacob Orenberg. (Staff presentation: 5 minutes)
8. NORESCO, LLC. Proposed resolution approving Amendment 2 to Agreement 400-12-003 with Noresco, LLC (formerly Architectural Energy Corporation) to add \$1,551,000 to complete additional work that falls within the original scope but is more involved than originally budgeted for. (ERPA funding) Contact: Ron Yasny. (Staff presentation: 5 minutes)
9. BUILDING NATURAL GAS TECHNOLOGY GRANTS, PON-13-503. This grant solicitation sought proposals for research and demonstration of emerging energy efficiency technologies and improvements to processes and operations that reduce natural gas use, improve indoor environmental quality in buildings, and reduce emissions of oxides of nitrogen (NOx) associated with using natural gas-burning systems. (PIER natural gas funding) Contact: Matthew Fung. (Staff presentation: 10 minutes)
 - a. LAWRENCE BERKELEY NATIONAL LABORATORY. Proposed resolution approving Agreement PIR-14-002 with the Department of Energy's Lawrence Berkeley National Laboratory for a \$400,000 grant to support the development of a new type of natural-draft burner that can be readily scaled and adapted to reduce NOx emissions from commercial and residential cooking appliances such as cook-tops and ovens.
 - b. LAWRENCE BERKELEY NATIONAL LABORATORY. Proposed resolution approving Agreement PIR-14-003 with the Department of Energy's Lawrence Berkeley National Laboratory for a \$750,000 grant to advance the science and technology needed to better control minimum outdoor air ventilation rates in existing and new commercial buildings in California.
 - c. LAWRENCE BERKELEY NATIONAL LABORATORY. Proposed resolution approving Agreement PIR-14-007 with the Department of Energy's Lawrence Berkeley National Laboratory for a \$1,250,000 grant to conduct a field study of indoor air quality (IAQ) to determine how recent versions of Title 24 have

impacted IAQ in new California homes with natural gas appliances and to evaluate how to provide adequate ventilation and IAQ while reducing energy use.

- d. INSTITUTE OF GAS TECHNOLOGY DBA GAS TECHNOLOGY INSTITUTE. Proposed resolution approving Agreement PIR-14-004 with the Institute of Gas Technology dba Gas Technology Institute for a \$798,788 grant to demonstrate a new ultra-low NOx, dynamically-staged entrainment boiler.
 - e. ALTEX TECHNOLOGIES CORPORATION. Proposed resolution approving Agreement PIR-14-005 with Altex Technologies Corporation for a \$347,933 grant to develop a burner for a commercial-scale boiler that significantly reduces NOx and CO₂ emissions while maintaining energy efficiency.
 - f. FISHER-NICKEL, INC. Proposed resolution approving Agreement PIR-14-006 with Fisher-Nickel, Inc. for a \$889,036 grant to demonstrate and quantify water and energy use, water heater operating efficiency and system delivery efficiency of baseline and optimized hot water systems for commercial food service operations.
 - g. FISHER-NICKEL, INC. Proposed resolution approving Agreement PIR-14-008 with Fisher-Nickel, Inc. for a \$909,515 grant to demonstrate a suite of high-efficiency commercial food service equipment and monitor energy consumption. The results from this project will potentially support the use of high-efficiency cooking equipment in commercial cooking facilities.
10. SILICON VALLEY LEADERSHIP GROUP. Proposed resolution approving a no-cost co-sponsorship with the Silicon Valley Leadership Group (SVLG) for the 2014 SVLG Data Center Efficiency Summit being held at Santa Clara University on November 5, 2014. The purpose of the Summit is to showcase emerging energy efficiency technologies for data centers. Contact: Heather Bird. (Staff presentation: 5 minutes)
 11. PACIFIC GAS AND ELECTRIC COMPANY. Proposed resolution approving Agreement 300-14-001 with Pacific Gas and Electric Company for a \$20,000 co-sponsorship for the 2014 Emerging Technologies Summit (ET Summit). The Summit is a biennial conference that is sponsored by the Emerging Technologies Coordinating Council, of which the Energy Commission is a member. The purpose of the ET Summit is to showcase emerging energy efficiency technologies from ratepayer-funded California programs. The length of this agreement is three months. (ERPA funding) Contact: Virginia Lew. (Staff presentation: 5 minutes)
 12. **Minutes:** Possible approval of the August 27, 2014, Business Meeting Minutes.
 13. **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.
 14. **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. *Asphalt Roofing Manufacturers Association v. Energy Commission (Third District Court of Appeal # C076990).*

- c. California Independent System Operator Corporation (Federal Energy Regulatory Commission, Docket No. ER12-2634).
- d. *PECG v. Brown* (Alameda County Superior Court # RG10494800 [Furlough Litigation].)
- e. *American Public Gas Association v. U.S. Department of Energy*, Case No. 11-1485 (9th Cir. Dec. 23, 2011).
- f. *Energy Commission v. SoloPower, Inc. and SPower, LLC.* (Sacramento County Superior Court # 34-2013-00154569)
- g. *Laborers' International Union of North America, Local #1184 v. Energy Commission (Blythe Solar Energy Center)*, (Supreme Court # S220286).
- h. *Communities for a Better Environment and Center for Biological Diversity v. Energy Commission* (Court of Appeal, First Appellate District, # A141299).
- i. *Helping Hand Tools and Rob Simpson v. Energy Commission* (Sacramento County Superior Court # 34-2014-80001904 [Quail Brush].)

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.

15. **Executive Director's Report.**

16. **Public Adviser's Report.**

17. **Public Comment:** People may speak up to three 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).