

State of California
California Energy Commission
Minutes of the August 1, 2018, Energy Commission Business Meeting

The meeting was called to order by Chair Weisenmiller. The Pledge of Allegiance was led by Chair Weisenmiller.

Present:

Robert B. Weisenmiller, Chair
Karen Douglas, Commissioner

David Hochschild, Commissioner
Janea A. Scott, Commissioner

J. Andrew McAllister, Commissioner

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON 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. COLLABORATIVE FOR HIGH PERFORMANCE SCHOOLS, INC. Proposed resolution approving Agreement 150-18-005 with Collaborative for High Performance Schools, Inc. (CHPS) for a \$5,000 contract to formalize the California Energy Commission's (Energy Commission) membership. This one-year membership allows the Energy Commission a seat on the Board of Directors and allows the Energy Commission to have a voice in advocating for energy efficiency practices that go beyond the Title 24 Standards. Continued membership is essential to ensure school energy efficiency concerns are adequately addressed. (ERPA funding) Contact: Michael Poe.

Commissioner McAllister announced he is recusing himself from Item 1a because he is on the board of the Collaborative for High Performance Schools. Commissioner McAllister left the room. Commissioner Douglas moved Item 1 and Commissioner Hochschild seconded. The vote was 4-0.

2. TOWARD A CLEAN ENERGY FUTURE – 2018 INTEGRATED ENERGY POLICY REPORT UPDATE (IEPR UPDATE), VOLUME I. Proposed resolution adopting Volume I of the 2018 IEPR Update, entitled “Toward a Clean Energy Future.” The Energy Commission is preparing the 2018 IEPR Update in two volumes: (1) “Toward a Clean Energy Future,” which is a high-level, graphically focused overview of California’s leadership in clean energy policy, and (2) a more detailed update on issues raised in 2017, to be adopted in February 2019. The Energy Commission intends to make Volume 1 available at the Global Action Climate Summit, to be held September 12-14, 2018 in San Francisco. Contact: Terra Weeks and Bailey Wobschall. (Staff presentation: 10 minutes)

Commissioner Hochschild moved Item 2 and Commissioner Douglas seconded. The vote was unanimous (5-0).

3. INFORMATIONAL PRESENTATION ON PROPOSITION 39: CALIFORNIA CLEAN ENERGY JOBS ACT. With the creation of the California Clean Energy Jobs Act in 2013, the Energy Commission was tasked with creating and implementing a grant program and application process for California Local Education Agencies to pursue clean energy and

energy efficiency improvements. On June 30, 2018, the application process for this grant program concluded with the Energy Commission receiving over 2,100 applications requesting approximately \$1.5 billion in grant funds. Contact: Haile Bucaneg. (Staff presentation: 20 minutes)

Staff presented Information Item 3.

4. ENERGY COMMISSION PROJECT MAP. Staff presentation describing the Energy Commission Project Map, an interactive map that identifies the locations of projects funded or supported through key programs currently administered by the Energy Commission. The map is intended to assist other government agencies, elected officials, community-based organizations, and the general public in identifying key projects of interest in their communities and to better understand the work of the Energy Commission. Contact: Amulya Yerrapotu. (Staff Presentation: 10 minutes)

Staff presented Information Item 4.

5. GATEWAY GENERATING STATION (00-AFC-01C). Proposed order approving a Settlement Agreement with Pacific Gas & Electric Company (PG&E) to resolve alleged violations of the reporting requirement included in the General Conditions of the Commission Decision certifying the power plant. Under the Settlement Agreement, PG&E agrees to the amendment of certain language in the General Conditions to provide additional clarity on reporting requirements and the addition of two new conditions of certification, AQ-SC12 and AQ-SC13, which will allow for verification of the level of particulate matter released from the Gateway Generating Station upon restart after an outage. PG&E has agreed to pay \$50,000 to the Energy Commission. In return, the Energy Commission agrees to close the matter without further action or litigation. Contact: Christine Root. (Staff presentation: 10 minutes)

Commissioner Douglas moved Item 5 and Commissioner Scott seconded. The vote was unanimous (5-0).

6. ARGUS COGENERATION EXPANSION (ACE) (86-AFC-01C). Proposed order granting the petition to remove all remaining open conditions of certification related to the demolition of the ACE facility and to terminate Energy Commission jurisdiction over the ACE project. The facility ceased operations in 2014, with some facility equipment being dismantled, sold, or repurposed, and is no longer a functioning power plant. Upon termination of the Energy Commission's jurisdiction, future demolition of existing facility structures and site redevelopment will be under the jurisdiction of San Bernardino County. Contact: Mary Dyas. (Staff presentation: 10 minutes)

Commissioner Douglas moved Item 6 and Commissioner Scott seconded. The vote was unanimous (5-0).

7. POWER PLANT SITING AND GENERAL PROCEDURES RULEMAKING (17-OIR-02). Hearing and proposed resolution adopting amendments to the Energy Commission's siting and general procedure regulations in Title 20, California Code of Regulations. The proposed amendments are to: (1) refine regulatory language changes adopted in 2015 under docket 15-OIR-01; (2) consolidate the small power plant exemption provisions into a single section; (3) repeal sections 2301 to 2309 regarding obsolete procedures for complying with the California Environmental Quality Act; and (4) revise sections 1708 and 1769 and add section 1769.1, relating to the filing and approval of amendments to power plant licenses. Contact: Jared Babula. (Staff presentation: 5 minutes)

Commissioner Douglas moved Item 7 and Commissioner Hochschild seconded. The vote was unanimous (5-0).

8. PETITION TO THE U.S. DEPARTMENT OF ENERGY. Proposed resolution delegating to the Executive Director, or his or her designee, the authority to join a petition to the U.S. Department of Energy to establish federal appliance efficiency standards, test procedures, definitions, and reporting requirements for dedicated purpose pool pump motors in line with the consensus terms reached by efficiency advocates and industry representatives, and to undertake related activities to support a federal rulemaking related to the petition. The petition would request that the U.S. Department of Energy set new efficiency standards for dedicated purpose pool pump motors that will yield significant energy savings both nationally and in California. Contact: Sean Steffensen. (Staff presentation: 5 minutes)

Commissioner McAllister moved Item 8 and Commissioner Hochschild seconded. The vote was unanimous (5-0).

9. AMENDED INTEGRATED RESOURCE PLAN (IRP) GUIDELINES. Proposed resolution adopting amended IRP guidelines to incorporate requirements of Senate Bill 338, (Skinner, Chapter 389, Statutes of 2017). The amendments provide clarifying and formatting changes to the Guidelines and the standardized reporting tables. Contact: Paul Deaver. (Staff presentation: 5 minutes)

Commissioner Scott moved Item 9 and Commissioner McAllister seconded. The vote was unanimous (5-0).

10. CITY OF RIO VISTA. Proposed resolution approving Agreement 001-18-ECD with the City of Rio Vista for a \$422,795 loan at one percent interest to install various energy efficiency measures at its facilities. Upon completion, the project will reduce an estimated 213,126 kWh of grid electricity consumption annually, saving the city about \$25,938 in utility costs. Based on the loan amount, the simple payback is 16.3 years. (ECAA funding) Contact: Shahid Chaudhry. (Staff presentation: 5 minutes)

Commissioner McAllister moved Item 10 and Commissioner Scott seconded. The vote was unanimous (5-0).

11. **Minutes:** Possible approval of the July 11, 2018 Business Meeting minutes.

Commissioner Scott moved Item 11 and Commissioner Douglas seconded. The vote was unanimous (5-0).

12. **Lead Commissioner or Presiding Member Reports.** The Commissioners reported on their recent activities.

13. **Chief Counsel's Report.** None.

a. Pursuant to Government Code section 11126(e), the Energy Commission may adjourn to closed session with its legal counsel to discuss any of the following matters to which the Energy Commission is a party:

- i. *In the Matter of U.S. Department of Energy (High Level Waste Repository), (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); State of California v. United States Department of Energy (9th Cir. Docket No. 09-71014).*
- ii. *Communities for a Better Environment and Center for Biological Diversity v. Energy Resources Conservation and Development Commission, and California State Controller (Alameda County Superior Court, Case No. RG13681262).*
- iii. *Energy Commission v. Electricore, Inc. and ZeroTruck (Sacramento County Superior Court #34-2016-00204586)*

- iv. *Energy Commission v. United States Department of Energy* (Federal District Court, Northern District of California, #17-cv-03404).
 - v. *City of Los Angeles, acting by and through, its Department of Water and Power v. Energy Commission* (Los Angeles Superior Court, Case No. BS171477).
 - vi. *Energy Commission v. City of San Jose, JUM Global, L.L.C.* (Sacramento Superior Court, Case No. 34-2018-00230652).
- b. Pursuant to Government Code section 11126(e), 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, which might include:
- i. The licensing process for a nuclear waste storage repository at Yucca Mountain, Nevada.
14. **Executive Director's Report.** The Executive Director gave a report.
15. **Public Adviser's Report.** The Public Adviser and student interns gave a report.
16. **Public Comment.** None

Appearances:

(*by telephone)

*Robert Sarvey, member of the public

Brian P. Kologji, California Engineering Services

Scott A. Galati, Dayzen, LLC

Samantha G. Neumyer, Ellison, Schneider, Harris & Dolan

Bob Therkelsen, Energy and Environmental Consulting

There being no further business, the meeting was adjourned.

Respectfully submitted,

CODY GOLDTHRITE
Secretariat