

State of California
California Energy Commission
Minutes of the September 11, 2019, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair,
Janea A. Scott Vice Chair

J. Andrew McAllister, Commissioner

Patricia Monahan, Commissioner
Karen Douglas, Commissioner

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

1. **Consent Calendar.** (Items 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. 2019 ET SUMMIT. Proposed resolution approving a purchase order with Yinsight, Inc., for a \$9,999 co-sponsorship of the 2019 ET Summit, and approving use of the California Energy Commission (CEC) logo in co-sponsorship advertisements. As a member of the Emerging Technologies Coordinating Council, the CEC supports the summit, which provides an opportunity to highlight the CEC's research and development activities, thus facilitating their commercialization and marketability. The summit will take place October 21-22, 2019, in Sacramento. (EPIC funding) Contact: Virginia Lew.
 - b. CALIFORNIA ENERGY AND EMPLOYMENT REPORT. Proposed resolution to provide \$40,000 to the National Association of State Energy Officials (NASEO) and the Energy Futures Initiative (EFI) to produce a California Energy and Employment Report. NASEO and EFI will produce a comprehensive assessment of energy employment in California, providing insight on the economic effects of our policies and identifying specific opportunities for continued energy sector employment growth. The CEC and California Public Utilities Commission (CPUC) are jointly funding this project. Contact: Bryan Early.

Commissioner McAllister moved Item 1a and Commissioner Scott seconded. The vote was unanimous (5-0). Commissioner McAllister announced he is recusing himself from Item 1b because he is the Chair of the Board of NASEO. Commissioner Douglas moved Item 1b and Commissioner Scott seconded. The vote was 4-0.

2. **Discussion of Energy Commission Progress on Joint Agency Report, Charting a Path to a 100 Percent Clean Electricity Future, Senate Bill 100 (2018).** Staff presentation on the clean energy goals established by Senate Bill 100, and a

discussion of its requirement to issue a joint agency report due to the Legislature by January 1, 2021. Staff will also provide an update of the report development process, including the planned scope and public engagement process. Contact: Terra Weeks. (Staff presentation: 5 minutes)

Staff presented Informational Item 2.

3. **Sequoia Data Center (19-SPPE-03).** Proposed order appointing a committee of two commissioners to preside over the small power plant exemption (SPPE) proceeding and any other proceedings arising from the application filed on August 14, 2019, by C1-Santa Clara, LLC for the proposed Sequoia Backup Generating Facility, part of the Sequoia Data Center. The Sequoia Data Center would be in Santa Clara and consist of a building that houses data servers and up to 96.5 megawatts of associated diesel-fueled backup generators to provide an uninterruptible power supply during an emergency loss of utility power. The CEC is the lead agency for the project under the Warren-Alquist Act and California Environmental Quality Act (CEQA), and will prepare the appropriate environmental document. If an SPPE is granted, the project would be exempt from CEC jurisdiction and subject to permitting by the City of Santa Clara and other agencies. Contact: Leonidas Payne. (Staff presentation: 5 minutes)

Chair Hochschild announced that Commissioner Douglas will be Presiding Member and Commissioner Monahan will be Associate Member. Commissioner Douglas moved approval of the Committee and Commissioner Monahan seconded. The vote was unanimous (5-0).

4. **2019-2020 Investment Plan Update for the Clean Transportation Program.** Proposed resolution approving the 2019-2020 Investment Plan Update for the Clean Transportation Program and adopting staff's determination that this action is exempt from CEQA. The purpose of the program is to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change goals. The annual Investment Plan Update determines priorities and opportunities for the program, describes how funding will complement existing public and private efforts, and serves as a guide for funding decisions. Contact: Patrick Brecht. (Staff presentation: 15 minutes)

Commissioner Monahan moved Item 4 and Commissioner McAllister seconded. The vote was unanimous (5-0).

5. **FreeWire Technologies, Inc.** Proposed resolution approving agreement ARV-19-072 with FreeWire Technologies, Inc. for a \$1,986,000 grant to design, purchase equipment, and build in-state manufacturing for innovative electric vehicle chargers that integrate energy storage, and adopting staff's determination that this action is exempt from CEQA. This manufacturing project will increase the production capacity of FreeWire Technologies products in California. (Clean Transportation Program Funding) Contact: Larry Rillera. (Staff presentation: 5 minutes)

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

6. **EnergyPro Version 8.0 Residential Compliance Software.** Proposed resolution approving of EnergyPro 8.0 as an alternative calculation method for demonstrating

compliance with the residential provisions of the 2019 Building Energy Efficiency Standards (Public Resources Code Section 25402.1(b); Title 24, Part 1, Cal. Code Regs., Sections 10-109, 10-110). Contact: Larry Froess. (Staff presentation: 5 minutes)

Commissioner McAllister moved Item 6 and Commissioner Douglas seconded. The vote was 4-0. Commissioner Monahan was absent.

7. **City of Lynwood.** Proposed resolution approving Agreement 004-19-ECA for a loan of \$1,734,071 at one percent interest to the City of Lynwood located in Los Angeles County and adopting staff's determination that this action is exempt from CEQA. The entire cost of the project is expected to be \$2,187,297 with the City of Lynwood supplementing the loan by paying \$453,226 towards energy efficiency projects throughout Lynwood, which include exterior lighting, street lighting, pool pumps, transformers, and HVAC upgrades. Based on the loan amount and estimated annual energy cost savings, the simple payback is 12.4 years. The project benefits include energy savings of 1,314,045 kWh of electricity and 509 therms of natural gas annually, saving the district an estimated \$140,100 in utility costs annually. (ECAA funding) Contact: Ron Yasny. (Staff presentation: 5 minutes)

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

8. **The Regents of the University of California, on behalf of the Davis Campus.** Proposed resolution approving Agreement 150-19-002 with the Regents of the University of California, on behalf of the Davis Campus for a \$200,000 contract to purchase and test lamps and other regulated appliances. Title 20, Section 1608(d) of the Appliance Efficiency Regulations requires the CEC to periodically test appliances sold in California to determine compliance with reported performance, marking, and design standards. Testing results will be used to determine compliance with Appliance Efficiency Regulations, support enforcement actions, and for general data collection purposes. (AEES Funding). Contact: Scott McCarthy. (Staff presentation: 5 minutes)

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

9. **ICF Incorporated, L.L.C. (d.b.a. ICF Consulting, L.L.C.).** Proposed resolution adopting California Environmental Quality Act findings for ICF Incorporated, L.L.C.'s (ICF) biomass-to-energy power plant, and grant agreement for the design and construction of the Camptonville Biomass-to-Energy Project (a.k.a. Forest Biomass Business Center Bioenergy Facility – Gellerman Site). The CEC approved a grant for an earlier version of this project at its October 3, 2018 business meeting, but the grant agreement was not executed due to high transmission interconnection costs. The revised project will be located at a different site. Also, the revised project increases generating capacity from 3 MW(net) to 5 MW(net), which does not change the purpose of the scope of work. (EPIC funding) Contact: Rizaldo Aldas. (Staff presentation: 5 minutes)

- a. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS. Proposed resolution finding that based on the lead agency County of Yuba Planning Commission's Initial Study/Mitigated Negative Declaration (IS/MND), Conditional Use Permit 2019-0002 (CUP), and the Resolution approving and adopting the MND and CUP for the Forest Biomass Business Center Bioenergy Facility -- Gellerman Site, the proposed project presents no new significant or substantially more severe environmental impacts beyond those already considered.
- b. Proposed resolution approving Agreement EPC-17-042 with ICF Incorporated, L.L.C. (d.b.a. ICF Consulting, L.L.C.) for a \$4,999,830 grant to design and construct an innovative 5 MW(net) biomass power plant near Camptonville, California (including the new site and increased electrical generation capacity) that will incorporate advanced air pollutant emission controls and a low water consumption condenser. The project will help reduce the population of dead and diseased trees by consuming up to 50,000 bone dry tons (BDT) of forest biomass per year.

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

10. Cost Reductions, Advanced Technology for Solar Modules (CREATE SOLAR), GFO-18-303. This solicitation sought proposals to fund applied research and development projects that will catalyze recently achieved advancements in materials science and manufacturing processes for thin-film photovoltaics technologies to support scaling and establishment of new high value market applications. (EPIC Funding) Contact: Katharina Gerber. (Staff presentation: 10 minutes)

- a. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF THE LOS ANGELES CAMPUS. Proposed resolution approving agreement EPC-19-002 with The Regents of the University of California, on behalf of the Los Angeles Campus, for a \$600,000 grant to advance properties of transparent organic photovoltaic (TOPV) materials aiming to achieve 15 percent cell efficiency and 30 percent light transparency, and adopting staff's determination that this action is exempt from CEQA. This project will use developed TOPV materials to design and test small "smart greenhouses."
- b. TANDEM PV, INC. Proposed resolution approving Agreement EPC-19-003 with Tandem PV, Inc. for a \$999,802 grant to develop scalable processing of perovskite photovoltaic layers on the top of silicon-based solar panels, and adopting staff's determination that this action is exempt from CEQA. This project will utilize spray deposition and rapid thermal annealing to fabricate and test 6x6 inch perovskite/silicon tandem devices with 25 percent cell efficiency.
- c. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF THE SAN DIEGO CAMPUS. Proposed resolution approving agreement EPC-19-004 with The Regents of the University of California, on behalf of the San Diego campus, for a \$993,458 grant to test high-power perovskite-on-silicon tandem photovoltaic modules, and adopting staff's determination that this

action is exempt from CEQA. The project plans to achieve a power conversion efficiency of greater than 32 percent while using low-cost manufacturing approaches.

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

11. Minutes. Possible approval of the August 14, 2019 business meeting minutes.

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

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

13. Executive Director's Report. The Executive Director gave a report.

14. Public Advisor's Report. The Acting Public Adviser gave a report.

15. Public Comment. None.

16. Chief Counsel's Report. None.

- a. Pursuant to Government Code section 11126(e), the CEC may adjourn to closed session with its legal counsel to discuss any of the following matters to which the 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. *State Energy Resources Conservation and Development Commission v. Electricore, Inc. and ZeroTruck* (Sacramento County Superior Court, Case No. 34-2016-00204586)
 - iv. *Natural Resources Defense Council, Inc., et al. v. United States Department of Energy* (Federal District Court, Northern District of California, Case No. 17-cv-03404).
 - v. *City of Los Angeles, acting by and through, its Department of Water and Power v. California Energy Resources Conservation and Development Commission* (Los Angeles Superior Court, Case No. BS171477).
 - vi. *Helping Hand Tools v. California Energy Commission, and Vantage Data Centers LLC.* (Sacramento Superior Court, Case No. 34-2018-80003026)
 - vii. *In re: PG&E Corporation and In re: Pacific Gas and Electric Company* (United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 19-30088)

- viii. *Chukwuemeka (Emeka) Okemiri v. California Energy Commission, et al.* (Sacramento Superior Court, Case No. 34-2018-00246019).
- ix. *State Energy Resources Conservation and Development Commission v. HyGen Industries, Inc.* (Sacramento County Superior Court No. 34-2019-00252543).
- b. Pursuant to Government Code section 11126(e), the CEC 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:

Appearances:

(*by telephone)

Claes Baillot

Scott Galati, Attorney, DayZen, LLC representing CyrusOne

Jeff Devine, CyrusOne

Stan Greschner, Grid Alternatives/Disadvantaged Communities Advisory Group

Richard Corey, California Air Resources Board (CARB)

Tyson Eckerle, Governor's Office of Business & Economic Development

Martin Lynch, FreeWire Technologies

Cathy LeBlanc, Camptonville Community Partnership, Inc.

Will Barret, American Lung AssociationMeredith Alexander, CALSTART

Eileen Tutt, California Electric Transportation Community Development Corporation

Jessica Melton, Pacific Gas & Electric (PG&E)

Sara Rafalson, EVgo

Charles Watson, Proterra

Hanna Goldsmith, California Electric Transportation Coalition (CalETC)

Ryan Kenny, Clean Energy

Jon Costantino, Trillium

Rebecca Baskins, California Advanced Biofuels Alliance

Tim Carmichael, Southern California Gas Company (SoCalGas)

Cory Bullis, CR&R Environmental Services

*David Wooley, UC Berkeley Goldman School of Public Policy

*Morgan Caswell, Port of Long Beach

*Todd Campbell, The Energy Coalition

Gregory Stangl, Phoenix Energy

There being no further business, the meeting was adjourned.

Respectfully submitted,

CODY GOLDTHRITE
Secretariat