

**February 10, 2021 California Energy Commission Business Meeting  
Item 4. City of Needles**

**[Staff Review and Analysis for City of Needle's Application for a Solar Photovoltaic Determination](https://efiling.energy.ca.gov/GetDocument.aspx?tn=236112&DocumentContentId=69119)**

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=236112&DocumentContentId=69119>

**[Proceeding Docket Log, containing all documents filed in this proceeding and any documents filed after this was created on August 21, 2019](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-BSTD-07)**

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STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING §10-109(k) DETERMINATION THAT THE SOLAR  
PHOTOVOLTAIC REQUIREMENT IN THE 2019 BUILDING ENERGY EFFICIENCY  
STANDARDS §150.1(c)14 SHALL NOT APPLY TO CITY OF NEEDLES

**RESOLUTION:** California Energy Commission (CEC) determination that solar photovoltaic (PV) requirements in the *2019 Building Energy Efficiency Standards* (Energy Code) §150.1(c)14 shall not apply to the City of Needles (Needles), pursuant to California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

**WHEREAS**, California Code of Regulations, Title 24, Part 1, Chapter 10, §10-109(k) and §10-110, establishes a process for the CEC to determine that the solar PV requirement in §150.1(c)14 shall not apply to particular buildings where “implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, or interconnection fees, causes the Commission’s cost effectiveness conclusions [...] to not hold for particular buildings;” and

**WHEREAS**, on August 13, 2019, Needles conducted a public hearing and approved the decision to seek a solar PV system requirement determination under §10-109(k); and

**WHEREAS**, on August 14, 2019, Needles submitted an application to the CEC pursuant to Title 24, California Code of Regulations, Part 1, §10-109(k) stating that its low-cost energy rates cause the solar PV system requirement to not be cost-effective; and

**WHEREAS**, CEC staff analyzed whether Needles’ public agency rules cause the CEC’s cost-effectiveness conclusions to not hold, and determined that the solar PV requirement is not cost-effective within the meaning of Public Resources Code §25402(b)(3) as a result of the implementation of Needles’ public agency rules regarding utility system costs and revenue requirements; and

**WHEREAS**, on December 23, 2020, CEC staff published its analysis regarding Needles’ application for a solar photovoltaic determination and received no comments during the comment period, which ended January 25, 2021,

**THEREFORE, BE IT RESOLVED**, the CEC finds that the Needles application meets §10-09(k) requirements and therefore determines that the solar PV requirements in the 2019 Energy Code, §150.1(c)14 shall not apply to newly constructed low-rise residential buildings within the city of Needles; and

**THEREFORE, BE IT FURTHER RESOLVED**, that on February 10, 2021, the CEC grants the approval of the application from Needles; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the CEC directs the executive director to take all actions necessary to implement this Resolution.

### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on February 10, 2021.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

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Cody Goldthrite  
Secretariat