

State of California
California Energy Commission
Minutes of the April 14, 2021, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair

Patricia Monahan, Commissioner

Karen Douglas, Commissioner

Siva Gunda, Commissioner

J. Andrew McAllister, Commissioner

The California Energy Commission's (CEC) April 14, 2021 Business Meeting was held remotely, consistent with Executive Orders N-25-20 and N-29-20 and the recommendations from the California Department of Public Health to encourage physical distancing to slow the spread of COVID-19. The public was able to participate and observe the meeting consistent with the direction in these Executive Orders. Instructions for remote participation were provided in the notice for this meeting and as set forth below in the agenda.

THE CEC 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. Clean Energy States Alliance, Inc. (CESA) Proposed resolution approving Agreement 500-20-002 with CESA for a \$100,000 contract to renew the CEC's annual CESA Core Membership for two years. This membership provides the CEC a seat on the CESA Board of Directors, representing the interests of California and the CEC and highlighting key CEC programs. CESA is a national, nonprofit coalition of state, municipal, and regional clean energy agencies and organizations working together to advance clean energy markets, and the development of clean energy technology. (ERPA funding) Contact: Edgar Rodriguez
- b. TRB and Associates, Inc. Proposed resolution approving Agreement 800-20-004 with TRB and Associates, Inc. for a \$0 contract to provide Delegate Chief Building Official (DCBO) services for the SEGS VIII and IX (88-AFC-01 and 89-AFC-01) regarding the construction of a Battery Energy Storage System (BESS). TRB and Associates, Inc. will carry out BESS construction plan review and the inspection of the construction activities to ensure compliance with reasonable construction practices and safety requirements on behalf of the CEC. TRB and Associates, Inc. will be compensated by Terra-Gen, the project owner of the SEGS VIII and IX. (N/A funding) Contact: Anwar Ali

Commissioner Douglas moved to approve Item 1 and Commissioner Gunda seconded. The vote was (5-0).

2. Proposed Adoption of 2020 Integrated Energy Policy Report Update (IEPR), Volume II on Microgrids (20-IEPR-01).

Proposed resolution approving the *2020 Integrated Energy Policy Report Update, Volume II: The Role of Microgrids in California's Clean and Resilient Energy Future, Lessons Learned from the California Energy Commission's Research* (CEC-100-2020-001-V2-CMF). Public Resources Code, section 25301 requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors, and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety. The CEC prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the IEPR. Contact: Heather Raitt (Staff Presentation: 10 minutes)

Commissioner McAllister moved to approve Item 2 and Commissioner Douglas seconded. The vote was (5-0).

3. Inland Empire Energy Center (IEEC) (01-AFC-17C).

Request to Terminate the CEC certification for the IEEC located in Menifee, California. IEEC, an 800-megawatt (MW) base load gas fired power plant, was licensed by the CEC on December 17, 2003. Condition of Certification COM-12 requires that the CEC approve the closure plan prior to termination of the license. On June 26, 2019, IEEC filed a closure plan that was approved by the CEC on December 11, 2019. Staff concludes the requirements of the closure plan have been met and terminating the license would not result in a significant adverse impact to the environment and would comply with applicable laws, ordinances, regulations, and standards. Contact: Eric Veerkamp (Staff Presentation: 5 minutes)

Commissioner Douglas moved to approve Item 3 and Commissioner Monahan seconded. The vote was (5-0).

4. Huntington Beach Energy Project (12-AFC-02C).

Possible approval of proposed order. Request to grant approval to modify Condition of Certification VIS-1 of the Huntington Beach Energy Project to replace the approved architectural screening structure ("spherical ball wall") with a mural-based design treatment for screening and enhancing views of the project site. Staff concludes that the modifications to Condition of Certification VIS-1 meet the requirements of California Code of Regulations, title 20, section 1769.1(a) and would not result in a significant impact on the environment nor cause the project to fail to

comply with applicable laws, ordinances, and regulations. Contact: Joseph Douglas (Staff Presentation: 10 minutes)

Commissioner Douglas moved to approve Item 4 and Commissioner McAllister seconded. The vote was (5-0).

5. Gilroy Backup Generating Facility (GBGF) (20-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 December 17, 2020 by Amazon Data Services for the proposed GBGF in Gilroy, California. The GBGF would consist of 50 2.5-MW diesel-fired generators to provide up to 96 MW of backup power for the associated GBGF building if electricity cannot be supplied by the utility, Pacific Gas & Electric. The CEC is the lead agency for the project under the Warren-Alquist Act and California Environmental Quality Act and will prepare the appropriate environmental document. If an SPPE is granted, the facility would be exempt from CEC jurisdiction and subject to permitting by the City of Gilroy and other agencies. Contact: Steven Kerr (Staff Presentation: 5 minutes)

The CEC appointed a committee consisting of Commissioner Karen Douglas, as presiding member, and Commissioner Andrew McAllister, as associate member. Commissioner Douglas moved to approve Item 5 and Commissioner McAllister seconded. The vote was (5-0).

6. Report from Committee and Possible Additional Direction to Committee Regarding Progress on the Application for an SPPE for the Sequoia BackupGenerating Facility (19-SPPE-03).

C1-Santa Clara, LLC filed an application for an SPPE that seeks an exemption from the CEC's exclusive powerplant licensing jurisdiction for the Sequoia Backup Generating Facility. The Sequoia Backup Generating Facility consists of 54 diesel-fired backup generators to provide an uninterruptible power supply to the Sequoia Data Center during interruptions of the electrical supply. On November 16, 2020, the CEC voted to affirm a prior order remanding the matter to the Committee appointed to conduct proceedings on the SPPE. At the January 25, 2021 business meeting, the CEC ordered that, in the absence of the issuance of a revised committee proposed decision, the Committee was to report at the April 2021 business meeting on progress made in resolving the remaining issues. After receiving the report from the Committee, the CEC may provide additional direction on the conduct of the proceedings. Contact: Susan Cochran (No formal staff presentation)

- a. Possible closed session deliberation on the above described SPPE.
GovernmentCode Section 11126(c)(3).

Staff Reported on Item 6. No vote taken.

7. Zero Code Petition Submitted by American Institute of Architects (AIA) California.

Consideration of a petition submitted by AIA California to amend California Code of Regulations, title 24, Part 11 (CALGreen) to include AIA's proposed "Zero-Code of California." The petition proposes to add a set of renewable energy measures to the voluntary CALGreen appendices. Contact: Will Vicent (Staff Presentation: 10 minutes)

Commissioner McAllister moved to approve Item 7 and Commissioner Gunda seconded. The vote was (5-0).

8. Requiring ATT Certification for Mechanical Acceptance Testing.

The CEC will consider a resolution finding that the threshold conditions enumerated in California Code of Regulations, title 24, section 10-103.2, subdivision (b) (part of the 2019 Building Energy Efficiency Standards) have been met, thereby triggering implementation of the mandatory requirement that any person performing a mechanical acceptance test required by the building energy efficiency standards must be certified as an acceptance test technician. Contact: Joe Loyer (Staff Presentation: 10 minutes)

Commissioner McAllister moved to approve Item 8 and Commissioner Douglas seconded. The vote was (5-0).

9. ~~School Energy Efficiency Stimulus (SEES) (20-RENEW-01).~~

~~Proposed resolution adopting guidelines for the two SEES grant funding programs established under Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020), and adopting staff's determination that this action is exempt from CEQA. The Program Guidelines provide the requirements for applicant and project eligibility and describe the application process, award distribution, and reporting requirements. Contact: Jonathan Fong (Staff Presentation: 10 minutes)~~

- ~~a. School Reopening Ventilation and Energy Efficiency Verification and Repair (SRVEVR) Program. Proposed resolution approving the SRVEVR Program Guidelines. The purpose of the program is to provide funds to local educational agencies (LEAs) to assess, maintain, and repair HVAC units in California schools.~~
- ~~b. School Noncompliant Plumbing Fixture and Appliance (SNPFA) Program.~~
- ~~c. Proposed resolution approving the SNPFA Program Guidelines. The purpose of the program is to provide grants to LEAs and California state agencies to replace noncompliant plumbing fixtures and appliances.~~

Item 9 was removed from the agenda.

10. Electric Program Investment Charge (EPIC) 2020 Annual Report.

Consideration and possible adoption of a resolution approving the EPIC 2020 Annual Report – Staff Report to be submitted to the Legislature and the California Public Utilities Commission on April 30, 2021. Contact: Erik Stokes (Staff Presentation: 10 minutes)

Commissioner McAllister moved to approve Item 10 and Commissioner Douglas seconded. The vote was (5-0).

Chair Hochschild announced break for lunch and reconvene at 1:00 p.m.

Chair Hochschild reconvened the meeting at 1:00 p.m.

11. Electric Vehicle (EV) Ready Communities Phase II – Blueprint Implementation – GFO-19-603

The purpose of this solicitation is to fund projects developed and identified in Phase I, Blueprint Development, of the EV Ready Communities Challenge to advance and support communities in their transition to zero-emission vehicles. (CTP funding) Contact: Kyle Corrigan (Staff Presentation: 5 minutes)

- a. Ventura County Regional Energy Alliance. Proposed resolution approving Agreement ARV-20-009 with Ventura County Regional Energy Alliance for a \$2,500,000 grant to implement various projects to support the adoption of EVs that were identified in their EV Ready Communities Challenge Blueprint, and adopting staff's determination that this action is exempt from CEQA.
- b. Kern Council of Governments. Proposed resolution approving Agreement ARV-20-010 with the Kern Council of Governments for a \$700,515 grant to implement various projects to support the adoption of EVs that were identified in their EV Ready Communities Challenge Blueprint, and adopting staff's determination that this action is exempt from CEQA.

Commissioner Monahan moved to approve Item 11 and Commissioner Douglas seconded. The vote was (5-0).

12. Discussion of Developing and Demonstrating Advanced Combustion Systems for the Industrial Sector – GFO-20-501.

The purpose of this solicitation is to develop and demonstrate economically viable advanced combustion systems to enhance the energy efficiency of boilers or furnaces for industrial plants. (PIER NG funding) Contact: Ilia Krupenich (Staff Presentation: 5 minutes)

- a. Gallo Glass Company. Proposed resolution approving Agreement PIR-20-006 with Gallo Glass Company for a \$5,573,860 grant to demonstrate an economically viable advanced oxygen-enriched combustion system, and adopting staff's determination that this action is exempt from CEQA.

- b. Institute of Gas Technology DBA Gas Technology Institute. Proposed resolution approving Agreement PIR-20-007 with Gas Technology Institute for a \$2,000,000 grant to demonstrate an innovative burner that utilizes more stable and clean flameless combustion for metals industry furnace applications, and adopting staff's determination that this action is exempt from CEQA.

Commissioner McAllister moved to approve Item 12 and Commissioner Douglas seconded. The vote was (5-0).

13. Solar Heating, Cooling, and Power for Industrial and Commercial Applications - GFO-20-502.

The purpose of this solicitation is to fund research and development projects that will advance the development and technology readiness of concentrating and non-concentrating solar thermal technologies along with solar combined cooling, heating, and power technologies. The solicitation included two groups: 1) Advancing the development and market availability of solar thermal technologies; and 2) Innovative demonstration of combined heating, cooling, and power systems. (PIER NG funding) Contact: Baldomero Lasam (Staff Presentation: 5 minutes)

- a. Winston Cone Optics, Inc. Proposed resolution approving Agreement PIR-20-004 with Winston Cone Optics, Inc. for a \$1,415,091 grant to develop a low-cost, high-efficiency solar thermal collector for industrial process heating, and adopting staff's determination that this action is exempt from CEQA. The project will support decarbonization of California's commercial and industrial sectors and reduce dependence on natural gas by using a unique asymmetric non-imaging optical design and by scaling up the technology through iterative demonstrations.

Commissioner McAllister moved to approve Item 13 and Commissioner Gunda seconded. The vote was (5-0).

14. Lawrence Berkeley National Laboratory.

Proposed resolution approving Agreement EPC-20-025 with Lawrence Berkeley National Laboratory for a \$16,000,000 grant to establish the California Flexible Load Research and Deployment Hub to develop, demonstrate, and deploy multiple demand flexible technologies as electric grid resources, and adopting staff's determination that this action is exempt from CEQA. (EPIC funding) Contact: Matthew Fung (Staff Presentation: 5 minutes)

Commissioner McAllister moved to approve Item 14 and Commissioner Gunda seconded. The vote was (5-0).

15. Technology & Investment Solutions, LLC.

Proposed resolution approving Agreement EPC-20-005 with Technology & Investment Solutions, LLC for a \$1,766,775 grant to fund the field testing and performance validation of a pre-commercial hydrogen energy storage system to be

installed at an existing anaerobic digestion facility, and adopting staff's determination that this action is exempt from CEQA. The project will validate the ability of metal hydrides to store hydrogen in a long-duration energy storage application. (EPIC funding) Contact: Robin Goodhand (Staff Presentation: 5 minutes)

Commissioner Monahan moved to approve Item 15 and Commissioner McAllister seconded. The vote was (5-0).

16. Rocky Mountain Institute.

Proposed resolution approving Agreement EPC-20-023 with Rocky Mountain Institute for a grant up to \$1,312,500, of which the CEC will provide \$687,500 in grant funds at this time, and adopting staff's determination that this action is exempt from CEQA. CEC will provide up to an additional \$625,000 contingent on future funding awards from the U.S. Department of Energy (DOE) and the approval of a future EPIC Investment Plan. This agreement is to a) design, build, and test a prefabricated all-electric integrated mechanical system that includes space conditioning and hot water heat pumps and advanced controls, and b) develop a nationwide advanced building construction consortium to increase demand and reduce costs for innovative building retrofits. The DOE has committed \$5,500,000 towards this project with an additional \$5,000,000 if future funds are awarded. (EPIC funding) Contact: Karen Perrin (Staff Presentation: 5 minutes)

Commissioner McAllister moved to approve Item 16 and Commissioner Gunda seconded. The vote was (5-0).

17. Polaris Energy Services, Inc.

Proposed resolution approving Agreement EPC-20-019 with Polaris Energy Services, Inc. for a \$2,884,912 grant to increase agricultural demand flexibility and adopting staff's determination that this action is exempt from CEQA. This project will deploy enhanced automated irrigation pump controls to enable demand flexibility at agricultural sites in the Central Valley of California. (EPIC funding) Contact: Dustin Davis (Staff Presentation: 5 minutes).

Commissioner Gunda moved to approve Item 17 and Commissioner McAllister seconded. The vote was (5-0).

18. OhmConnect, Inc.

Proposed resolution approving Agreement EPC-20-034 with OhmConnect, Inc. for a \$3,000,000 grant to improve and expand its demand response engagement platform to achieve load reductions from residential participants, and approving staff's determination that this action is exempt from CEQA. The project will include enhanced functionality to improve residential customer interaction and participation, especially in under-resourced communities, to drop load when the electric grid is stressed. (EPIC funding) Contact: Brad Williams (Staff Presentation: 5 minutes)

Commissioner McAllister moved to approve Item 18 and Commissioner Gunda seconded. The vote was (5-0).

19. Bridge 2020: Bringing Rapid Innovation Development to Green Energy - GFO-20-301.

The purpose of this solicitation is to fund the continued development of high-potential, high-impact energy technologies that are too early for significant private-sector investment. (EPIC funding) Contact: Michael Ferreira (Staff Presentation: 5 minutes)

- a. All Power Labs, Inc. Proposed resolution approving Agreement EPC-20-012 with All Power Labs, Inc. for a \$3,287,890 grant to fund the development and operation of a novel dispatchable multi-modal biomass energy microgrid, and adopting staff's determination that this action is exempt from CEQA. This project will generate low-cost renewable electricity, thermal energy, and biochar with a unique scalable configuration, and demonstrate its commercial viability and business case. The microgrid configuration will be highly replicable and able to quickly scale, providing substantial cost, reliability, and climate mitigation benefits to California ratepayers and the residents of disadvantaged communities, while promoting California's statutory energy goals.
- b. Caban Systems, Inc. Proposed resolution approving Agreement EPC-20-026 with Caban Systems, Inc. for a \$1,095,264 grant to develop a state-of-the-art clean energy storage backup system to serve critical infrastructure facilities to mitigate the health and safety risks from planned and unplanned power outages, and adopting staff's determination that this action is exempt from CEQA. The project will build upon Caban Systems, Inc.'s successful CEC-funded Modular Battery Platform Project by integrating a commercially available clean hydrogen fuel cell into its advanced modular lithium-ion battery pack to provide over 72 hours of clean back-up power.
- c. Cuberg, Inc. Proposed resolution approving Agreement EPC-20-027 with Cuberg Inc. for a \$3,499,525 grant to design and manufacture an ultra-safe, non-flammable lithium-metal cell battery technology, and adopting staff's determination that this agreement is exempt from CEQA. The cell battery technology will be integrated into a lightweight, high-performance module acceptable for high energy-density applications such as long-range electric vehicles and electric aviation.
- d. NexTech Batteries, Inc. Proposed resolution approving Agreement EPC-20-028 with NexTech Batteries, Inc. for a \$2,996,782 grant to design and demonstrate a utility-scale battery energy storage system that utilizes a unique lithium-sulfur chemistry cell, and adopting staff's determination that this action is exempt from CEQA. This battery packages a non-cobalt design with improved energy progressive components and a battery management system to create a safe

storage system with double the energy density and optimal cycle life of incumbent lithium-ion technology. The project will advance the production design of lithium-sulfur based cells, develop a high capacity battery module prototype, and demonstrate grid-integration of the Lithium-Sulfur Battery Energy Storage System with the University of California, San Diego's microgrid.

- e. FreeWire Technologies Inc. Proposed resolution approving Agreement EPC-20-022 with FreeWire Technologies, Inc. for a \$3,468,490 grant to finalize the development of its Boost Charger+ and Boost Charger 2.0 systems and demonstrate Boost Chargers at two project sites, including one in an under-resourced community, and adopting staff's determination that this action is exempt from CEQA. The FreeWire Boost Charger 2.0 integrates battery storage with advanced communication and control technologies and power electronics to provide an ultra-fast EV charging technology product that will streamline installation of DC Fast Chargers, respond to grid conditions, and provide power for EV drivers during grid outages.

Commissioner Monahan moved to approve Item 19 and Commissioner McAllister seconded. The vote was (5-0).

20. Ramp 2020: Realizing Accelerated Manufacturing and Production for Clean Energy Technologies – GFO-20-302.

The purpose of this solicitation is to provide technical and financial assistance to help clean energy entrepreneurs successfully advance their emerging best-of-class innovative technology to the Low-Rate Initial Production (LRIP) stage. LRIP is the first step in the transition from highly customized hand-built prototypes, which are used for performance testing and vetting the production process, to the final product mass-produced in the full-rate production phase. (EPIC funding) Contact: Benson Gilbert (Staff Presentation: 5 minutes)

- a. Clark Pacific Technology, LLC. Proposed resolution approving Agreement EPC-20-024 with Clark Pacific Technology, LLC for a \$3,000,000 grant to fund the design and buildout of a pilot manufacturing line for a novel space conditioning system that integrates radiant heating and cooling and enables control systems with concrete slabs to create a high thermal mass radiant system using a prefabricated production process, and adopting staff's determination that this project is exempt from CEQA. The prefabrication method can help overcome market barriers to radiant heating and cooling systems by enabling the manufacturing of a product that is less labor intensive and higher quality while providing greater schedule certainty.
- b. Antora Energy, Inc. Proposed resolution approving Agreement EPC-20-029 with Antora Energy, Inc. for a \$2,999,695 grant to design and build out a pilot-scale manufacturing line for thermophotovoltaic cells that convert radiant heat into electricity, and adopting staff's determination that this action is exempt from

CEQA. The novel thermophotovoltaic cells are combined with inexpensive thermal storage to create a cost-effective long-duration energy storage system capable of providing 200 hours of capacity.

- c. Ubiquitous Energy, Inc. Proposed resolution approving Agreement EPC-20-032 with Ubiquitous Energy, Inc. for a \$2,997,343 grant to accelerate commercialization of their innovative window coating technology prototype by advancing the pilot-scale manufacturing line to meet market entry production requirements, and adopting staff's determination that this action is exempt from CEQA. The transparent coating technology is applied directly to glass windowpanes to generate electricity and simultaneously provide high-energy efficiency by insulating the building from solar heat. Under this agreement, the recipient will develop and demonstrate manufacturing capabilities that achieve low-rate initial production levels.
- d. Halo Industries, Inc. Proposed resolution approving Agreement EPC-20-033 with Halo Industries, Inc. for a \$3,000,000 grant to bring a silicon carbide wafer manufacturing method into LRIP and adopting staff's determination that this project is exempt from CEQA. This manufacturing method uses a patented laser-based slicing technology and dramatically lowers the cost of these wafers, which are necessary for advanced, next generation power electronics for a wide variety of applications. During the project, the recipient will complete manufacturing design and engineering work, develop a stable and scalable supply chain, and demonstrate the pilot production system.
- e. Opus 12 Incorporated. Proposed resolution approving Agreement EPC-20-035 with Opus 12 Incorporated, for a \$3,000,000 grant to scale production of Opus 12's innovative membrane electrode assemblies and adopting staff's determination that this action is exempt from CEQA. The membrane electrode assemblies provide an efficient technological pathway to convert carbon dioxide into valuable products and fuels (carbon monoxide, ethylene, and other compounds) with the use of renewable electricity, which could also improve the marginal value of new solar photovoltaic generation by enabling on-demand production of these materials during times of potential overgeneration. The project seeks to commission the design, build, installation, and operation of the production pilot line for membrane electrode assemblies with a target capability of fabricating 17,000-40,000 cm² of total membrane electrode assembly area per day.

Commissioner McAllister moved to approve Item 20 and Commissioner Douglas seconded. The vote was (5-0).

21. Advanced Plug Load And Smart Exterior Lighting – GFO-20-303.

The purpose of this solicitation is to develop, test, and demonstrate advanced innovative technologies for controlling plug load and exterior lighting energy use.

The solicitation had three funding groups. This item focuses on Group 3 only, demonstrating smart exterior solid-state lighting in low-income or disadvantaged communities. (EPIC funding) Contact: Adel Suleiman (Staff Presentation: 5 minutes)

- a. Electric Power Research Institute, Inc. Proposed resolution approving Agreement EPC-20-030 with Electric Power Research Institute, Inc. for a \$3,308,595 grant to fund the development and demonstration of a novel hybrid power (solar and grid-tied) exterior LED lighting system that includes a unique wrap around solar panel, sensors, controls, and battery storage, and adopting staff's determination that this action is exempt from CEQA. This project will be demonstrated in six low-income or disadvantaged communities.
- b. The Regents of The University of California, On Behalf of The Davis Campus. Proposed resolution approving Agreement EPC-20-031 with The Regents of the University of California, on behalf of the Davis Campus, for a \$4,166,306 grant to fund the development and demonstration of a novel hybrid power (solar and grid-tied) exterior LED lighting system that includes a unique integrated solar panel with embedded sensors, smart controls, and battery storage, and adopting staff's determination that this project is exempt from CEQA. This project will be demonstrated in seven low-income or disadvantaged communities.

Commissioner McAllister moved to approve Item 21 and Commissioner Monahan seconded. The vote was (5-0).

22. Minutes.

Possible approval of the March 17, 2021 business meeting minutes.

Commissioner McAllister moved to approve Item 22 and Commissioner Douglas seconded. The vote was (5-0).

23. Lead Commissioner or Presiding Member Reports.

The Commissioners reported on their recent activities.

24. Executive Director's Report.

Chief Deputy Director stated the Executive Director has nothing to report.

25. Public Advisor's Report.

The Public Advisor gave a report.

26. Public Comment.

Scott Galati, Amazon Project and Day Zen LLC

Matt Garner, Roseville Electric Roseville Energy Park

Ranji George, Coalition for Advanced ZEV

27. Chief Counsel's Report.

- a. Pursuant to Government Code, section 11126, subdivision (e), the CEC may

adjourn to closed session with its legal counsel to discuss any of the following matters to which the CEC 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, Court of Appeal, First Appellate District, Division Four, Case No. A157299).
 - iii. *State Energy Resources Conservation and Development Commission v. Electricore, Inc. and ZeroTruck* (Sacramento County Superior Court, Case No. 34-2016-00204586-CU-BC-GDS). *State Energy Resources Conservation and Development Commission v. HyGen Industries, Inc.* (Sacramento County Superior Court, Case No. 34-2019-00252543-CU-BC-GDS).
 - iv. *Olson-Ecologic Testing Laboratories, LLC v. CEC.* (Orange County Superior Court, Case No. 30-2019-01115513-CU-BC-CJC).
 - v. *Interlink Products International, Inc. v. Xavier Becerra, Drew Bohan, Melissa Rae King* (United States District Court for the Eastern District of California, Case No. 2:20-cv-02283).
 - vi. *Southern California Gas Company v. California State Energy Resources Conservation and Development Commission* (Sacramento County Superior Court, Case No. 34-2021-80003576-CU-WM-GDS).
- b. Pursuant to Government Code, section 11126, subdivisions (a) and (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 constitute a significant exposure to litigation against the CEC, which might include personnel matters.

The Chief Counsel had nothing to report. The Chief Counsel recommended closed session for item 27(a). The Chair announced we will go into closed session for item 27(a). Upon return from closed session the Chair announced they have nothing to report and the business meeting is adjourned.

Appearances:

Matthew Baker, Daikin North America

Steven Botic, Amazon Web Services

Justin Briggs, Antora Energy

Mary Ann Piette, Lawrence National Lab

Bill Brown, Brownson Technical School
Martha Campbell, RMI
John Carlton, AWS
Tim Carmichael, Sempra Energy Utilities
Michael Carroll, Latham Watkins
Etosha Cave, OPUS 12
Andrew Coleman, Electric Power Research Institute
Cisco Devries, CEO Home Connect
Scott Galati, Amazon Project and Day Zen LLC
Matt Garner, Roseville Electric Roseville Energy Park
Ranji George, Coalition for Advanced ZEV
Jeff Harris, AES Corp.
Justin Knapp, All Power Labs
Evelyn Loya, Southern California Gas Company
Martin Lynch, FreeWire Technologies
Michael Malinoski, American Institute of Architects CA
David Meyers, Polaris Energy Services
Jon Mohle, Clark Pacific
Stephen O'Kane, AES Huntington Beach Energy
Allan Ono, DOJ
Leland Price, Caban Systems
Toni Scott, Gallo Glass Co.
Linda Urata, Kern Council of Governments
Claire Warshaw, Public
Roland Winston, Winston Conde Optics
Deric Wittenborn, ES Law Firm
Robert Perry, Synergistic Solutions, LLC

There being no further business the meeting was adjourned.

Respectfully submitted,

PATRICIA CARLOS
Secretariat