

State of California
California Energy Commission
Minutes of the August 17, 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
Karen Douglas, Commissioner
Siva Gunda, Commissioner

Patricia Monahan, Commissioner
J. Andrew McAllister, Commissioner

The California Energy Commission's (CEC) August 17, 2021 Business Meeting will be held remotely, consistent with Executive Order N-08-21 to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic. The public may participate consistent with the direction in the Executive Order.

Pursuant to California Code of Regulations Title 20 section 1104(e), any person may make oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to three minutes or less per person. Any person wishing to comment on information items or reports (non-voting items) shall speak during the general public comment portion of the meeting and have three minutes or less to address all remaining comments.

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

1. Order on Process for Post-Certification Petitions for Changes in Design, Operations, or Performance of Existing Facilities.

Proposed order establishing a process for expediting post-certification petitions for changes in power plant project design, operation, and performance, including geothermal generation and integrating solar generation and battery storage with appurtenant facilities on an existing site, that the CEC determines would reduce the projected energy shortfall, and that meet criteria established by the CEC. This proposed order is in response to the Governor's July 30, 2021, Emergency Proclamation declaring a state of emergency due to extreme drought, wildfires, and record-breaking heat events, resulting in projected energy shortfalls in 2021 and 2022. Contact: Shawn Pittard (Staff Presentation: 5 minutes)

Chair Hochschild announced the order of the agenda items will be switched and item 2 will be heard first.

Commissioner Monahan moved to approve item 1. Commissioner Douglas seconded. The vote was (5-0).

2. Order on Process for New Emergency and Temporary Power Generators.

Proposed order establishing a process for expediting licenses for new emergency and temporary power generators of 10 megawatts or more that the CEC determines

will deliver net peak energy before October 31, 2021, and that meet criteria established by the CEC. This proposed order is in response to the Governor's July 30, 2021, Emergency Proclamation declaring a state of emergency due to extreme drought, wildfires, and record-breaking heat events, resulting in projected energy shortfalls in 2021 and 2022. Contact: Shawn Pittard (Staff Presentation: 5 minutes)

Commissioner Douglas moved to approve item 2. Commissioner Gunda seconded. The vote was (5-0).

3. Lead Commissioner or Presiding Member Reports.

The Commissioners reported on their recent activities.

4. Executive Director's Report.

The Executive Director gave a report.

5. Public Advisor's Report.

The Public Advisor had nothing to report.

6. Public Comment.

Chris Rosenthal, self

Steve Uhler, self

7. Chief Counsel's Report.

- 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 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, Case No. 09-71014).*
 - ii. *State Energy Resources Conservation and Development Commission v. HyGen Industries, Inc (Sacramento County Superior Court, Case No. 34-2019-00252543-CU-BC-GDS).*
 - iii. *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).*
 - iv. *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 sections 11126 (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 that constitute a significant exposure to litigation against the CEC, which might include personnel matters.

The Chief Counsel had nothing to report.

Appearances:

Steve Uhler, Self

Chris Rosenthal, Self

There being no further business the meeting was adjourned.

Respectfully submitted,

LIZA LOPEZ

Secretariat