

State of California

California Energy Commission Minutes of the December 14, 2022, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair

Siva Gunda, Vice Chair

Kourtney Vaccaro, Commissioner

Patricia Monahan, Commissioner

Andrew McAllister, Commissioner

Please note that the California Energy Commission (CEC) aims to begin the business meeting promptly at the start time and the end time is an estimate based on the agenda proposed. The meeting may end sooner or later than the time indicated depending on various factors.

Pursuant to the California Code of Regulations (CCR), title 20, section 1104(e), any person may make an 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 public comment portion of the meeting and have three minutes or less to comment.

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

1. Agency Announcements.

The Chair may announce relevant matters to the public and CEC, including agency updates, events, and recruitment. Discussion may follow.

2. 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. Geothermal Resources Council (GRC). Proposed resolution approving Agreement 500-22-001 with the GRC (also known as Geothermal Rising). This \$4,550 contract provides the CEC with a two-year sustaining membership, which includes up to 20 staff memberships, participation in GRC activities and workshops, access to the GRC's extensive geothermal library, copies of the GRC Bulletin, and opportunities to gain information about geothermal research and activities. (Geothermal Grant and Loan Program Funding) Contact: Erica Loza
- b. California Schools Healthy Air, Plumbing and Efficiency Program (CalSHAPE) (20-RENEW-01). Proposed resolution approving the CalSHAPE Plumbing Program Guidelines, Third Edition, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). The program provides grants to local educational agencies to replace noncompliant plumbing fixtures and appliances. This edition of the guidelines expands program eligibility to state agencies. Contact: Theresa Daniels

- c. Taft City School District. Proposed resolution approving Amendment 1 to Agreement ARV-19-006 with Taft City School District to add \$59,329 to the budget, extend the term of the agreement by 21 months, and add special terms and conditions, and adopting staff's determination that this action is exempt from CEQA. The budget augmentation adds \$91,671 for the district to procure a previously awarded electric school bus and is needed because supply chain issues have increased the cost to manufacture electric school buses. A decrease of \$32,342 is funding that is no longer needed for infrastructure. (CTP Funding) Contact: Kay Williams
- d. Cajon Valley Union School District. Proposed resolution approving Amendment 2 to Agreement ARV-19-032 with Cajon Valley Union School District to add \$100,000 to the budget, extend the term of the agreement by 24 months, and add special terms and conditions, and adopting staff's determination that this action is exempt from CEQA. The additional funding is to procure a previously awarded electric school bus and is needed because supply chain issues have increased the cost to manufacture electric school buses. (CTP Funding) Contact: Jennifer Masterson
- e. Lawrence Berkeley National Laboratory. Proposed resolution approving Amendment 4 to Agreement EPC-16-059 for a \$1,000,000 budget augmentation with follow-on funding, a scope of work update, and a three-year term extension, and adopting staff's determination that this action is exempt from CEQA. This amendment will support the research and development of a software solution to address cost recovery, participation in demand response, and security challenges faced by military bases and other government workplaces when deploying chargers that will be shared by fleet and personally owned electric vehicles (EV). (EPIC Funding) Contact: Mike Gravely
- f. Approval of 2022 Energy Code Compliance Software, EnergyPro Version 9.0. Proposed resolution approving third-party compliance software EnergyPro Version 9.0, by EnergySoft LLC., as an alternative calculation method for demonstrating performance compliance with the residential, nonresidential, and multifamily provisions of the 2022 Building Energy Efficiency Standards. Contact: RJ Wichert
- g. Sunrise Power Project Petition to Amend (98-AFC-04C). Proposed order approving the petition to amend the project's license to allow for technology upgrades that will result in greater efficiency and increased generation capacity; revise and make additions to the air quality conditions of certification to reflect how the technology has changed the project's emissions profile; adopt staff's determination that the project would not have a significant adverse impact on the environment and would comply with all applicable laws, ordinances, regulations, and standards (LORS); and find that the project change does not meet any of the criteria in Public Resources Code section 21166 and CCR, title 14, section 15162, that would necessitate the preparation of a subsequent or supplemental environmental document. Contact: Mary Dyas

- h. Border Project Petition to Amend (01-EP-14C). Proposed order approving the petition to amend the project's license to add conditions of certification to change the project description to include the interconnection of the Border Battery Energy Storage Systems (BESS) project and allow the use of common facilities; identify Hermes BESS LLC as the new facility operator; adopt staff's determination that the project would not have a significant adverse impact on the environment and would comply with all LORS; and find that the project change does not meet any of the criteria in Public Resources Code section 21166 and CCR, title 14, section 15162, that would necessitate the preparation of a subsequent or supplemental environmental document. Contact: Mary Dyas
- i. Danish Energy Agency. Proposed resolution approving Memorandum of Understanding 22-002 between the CEC and the Danish Energy Agency to establish a flexible framework to promote sharing of knowledge, experiences, data, and best practices related to the CEC's activities on offshore wind and decarbonization of the building and industrial sectors. Contact: Alana Sanchez
[This item will be heard after agenda item 8]
- j. City of Gonzales. Proposed resolution approving Agreement ZVI-22-021 with the City of Gonzales for a \$1,052,480 grant to deploy 18 publicly accessible EV chargers consisting of six direct current fast chargers (DC/FC) and 12 Level 2 dual-port chargers distributed across three locations in the City, and adopting staff's determination that this action is exempt from CEQA. (General Fund Funding) Contact: Esther Odufuwa
- k. Reliable, Equitable, and Accessible Charging for Multi-Family Housing – GFO-21-603. This solicitation sought proposals to demonstrate replicable and scalable business and technology models for large-scale deployment of EV charging infrastructure capable of maximizing access and EV travel for multifamily housing residents. (CTP and General Fund Funding) Contact: Kyle Corrigan
 - i. East Bay Community Energy. Proposed resolution approving Agreement ZVI-22-022 with East Bay Community Energy for a \$2,726,160 grant to install two direct current fast charging hubs in Hayward and San Leandro, where there are dense concentrations of multifamily residents, and adopting staff's determination that this action is exempt from CEQA.
 - ii. County of Los Angeles. Proposed resolution approving Agreement ARV-22-005 with the County of Los Angeles for a \$1,575,880 grant to install 32 Level 2 EV charging ports to provide reliable, resilient, and affordable charging to multifamily homes in southern California, and adopting staff's determination that this action is exempt from CEQA.

Before the consent calendar items were voted on, Chair Hochschild announced Item 6 was removed from the agenda and Item 2i will be heard after agenda Item 8.

Public Comment:

None.

Vice Chair Gunda moved to approve Items 2a through 2h and Items 2j and 2k. Commissioner Vaccaro seconded. The vote was (5-0).

Public Comment for Item 2i:

Claus Ekman from Energy Attaché is in support of this item.

Vice Chair Gunda moved to approve Items 2i. Commissioner Vaccaro seconded. The vote was (5-0).

3. Information Item on a New Approach to Forecast Clean Energy Technology.

Doyne Farmer, Director of the Complexity Economics Programmer at Oxford University's Institute for New Economic Thinking, will discuss a new way of forecasting technology costs centered on technology "learning curves." This modeling shows that the transition to clean energy is cost-effective. Contact: Noemí Gallardo (Staff Presentation: 10 minutes)

Doyne Farmer discussed a new way of forecasting technology costs centered on technology learning curves. Information item only, no vote was taken.

Public Comment:

None.

4. Information Item on Opportunities to Catalyze Private Investment in Clean Technology.

Students from UC Berkeley's Goldman School of Public Policy will present strategies to catalyze private investments toward clean energy technologies. These students, working in conjunction with CEC staff, researched ways to leverage public investments to attract significant private capital to support the deployment and scale-up of innovative clean-energy technologies. Contact: Anthony Ng (Staff Presentation: 10 minutes)

Joyce Wei, Kelly Varian, and Will Toasperm from UC Berkeley's Goldman School of Public Policy will present strategies to catalyze private investments toward clean energy technologies. Information item only, no vote was taken.

Public Comment:

None.

5. 2022-2023 Investment Plan Update for the Clean Transportation Program.

Proposed resolution approving the 2022-2023 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 California's climate change goals. The 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)

Public Comment:

Gia Vacin from GO-Biz is in support of this item.

Lori Pepper from California State Transportation Agency is in support of this item.

Lisa Macumber from California Air Resources Board is in support of this item.

Adrian Martinez from the Disadvantaged Communities Advisory Group is in support of this item.

Samantha Houston from the Union of Concerned Scientists is in support of this item.

Katherine Garcia from Sierra Club is in support of this item.

Michael Pimental from California Transit Association is in support of this item.

Eileen Tutt from Electric Transportation Community Development Corporation is in support of this item.

Miles Muller from Natural Resources Defense Council is in support of this item.

Bill Elrick from California Fuel Cell Partnership is in support of this item.

Zac Thompson from East Bay Community Energy is in support of this item.

Licha Lopez from PG&E is in support of this item.

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

After Item 5 was heard, Chair Hochschild announced a break for lunch and reconvene at 1:15 p.m.

Chair Hochschild reconvened the meeting at 1:15 p.m.

~~6. Renewables Portfolio Standard Retail Sellers Procurement Verification Results Report.~~

~~Proposed resolution adopting the Renewables Portfolio Standard 2017–2020 Retail Sellers Procurement Verification Report. This report applies only to retail sellers, which include investor-owned utilities, small and multijurisdictional utilities, electric service providers, and community choice aggregators reporting claims for Compliance Period 3 (2017-2020). The report provides the verified results of claims submitted by retail sellers for Compliance Period 3. If adopted, CEC staff will transmit the adopted report to the California Public Utilities Commission to use in making compliance determinations for retail sellers. Contact: Kevin Chou (Staff Presentation: 10 minutes)~~

7. Certification of Home Energy Rating System (HERS) Provider and Data Registry Applications for ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS).

Proposed resolution approving CHEERS' application to be certified as a HERS provider and to operate a residential data registry with two related electronic digital data source services for certain building types in compliance with the California

HERS Program and the 2022 Energy Code. Contact: Matthew Haro (Staff Presentation: 10 minutes)

Public Comment:

Kevin Kane from CHEERS is in support of this item.

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

8. Certification of HERS Provider and Data Registry Applications for CalCERTS, Inc.

Proposed resolution approving CalCERTS, Inc.'s application to be certified as a HERS provider and operate a residential data registry for certain building types in compliance with the California HERS Program and the 2022 Energy Code. Contact: Matthew Haro (Staff Presentation: 10 minutes)

Public Comment:

Shelby Gatlin from CalCERTS is in support of this item.

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

9. Minutes.

Possible approval of the November 16, 2022, Business Meeting minutes.

Public Comment:

None.

Commissioner McAllister moved to approve Item 9. Commissioner Monahan seconded. The vote was (5-0).

After Item 9 was voted on, Chair Hochschild announced we will push commissioner updates to the next business meeting and just focus on thank yous.

10. Lead Commissioner or Presiding Member Reports.

The Commissioners announced their thank yous to staff.

11. Executive Director's Report.

The Executive Director shared the Chief Counsel's regrets and announced she has her team party this afternoon. The Executive Director announced his thank yous to staff.

12. Public Advisor's Report.

Chair Hochschild announced the Public Advisor's report will be provided at the next business meeting.

13. Public Comment.

None.

14. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(e)(1), the CEC may adjourn to closed session with its legal counsel to discuss the following matter to which the CEC is a party:
 - i. *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).*

There being no further business the meeting was adjourned.

Respectfully submitted,

SIGNED BY:

LIZA LOPEZ

Secretariat