

State of California

California Energy Commission Minutes of the December 13, 2023, Energy Commission Business Meeting

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

Present:

David Hochschild, Chair
Siva Gunda, Vice Chair
Noemí Gallardo, 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. 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.

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

1. Public Comment.

Any person wishing to comment on information items (non-voting items) shall provide comments during this period.

Public Comment:

Steve Uhler commented on Item 1.

Claire Warshaw commented on item 1.

2. Agency Announcements.

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

3. 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. Telos Energy, Inc. Proposed resolution approving amendment #1 to contract 800-22-004 with Telos Energy, Inc to extend the contract and add supplemental funds of \$500,000, for continued support with electricity supply system models to better perform the analysis required by Senate Bill 846 (Stats. 2022, ch. 239). (General Fund Funding) Contact: Mark Kootstra

- b. Rincon Band of Luiseño Indians. Proposed resolution approving amendment #2 to agreement EPC-19-050 with the Rincon Band of Luiseño Indians to update the project scope, reduce the award amount by \$663,752, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). SDG&E is updating the distribution infrastructure to the project site within the Rincon Reservation to improve resiliency and add protective measures against grid outages to reduce the project's energy storage and solar capacity needs. The amendment reduces the scope of energy storage requirements while ensuring the economic viability of the project. (EPIC Funding) Contact: Caitlin Planchard
- c. Electric Power Research Institute, Inc. Proposed resolution approving amendment #2 to agreement EPC-19-054 with Electric Power Research Institute, Inc. to update the purpose in the scope of work, and adopting staff's determination that this action will not alter the CEQA exemption findings in the original grant agreement. The amendment will modify recruitment criteria from "multifamily affordable housing complexes" to "affordable single-family buildings," and will update the building's Title 24 Energy Code compliance requirement to accommodate new and existing buildings for recruiting projects. (EPIC Funding) Contact: Sebastian Ruiz
- d. FirstElement Fuel, Inc. Proposed resolution approving agreement ZVI-23-004 with FirstElement Fuel, Inc. for a \$3,376,800 grant to develop a high-capacity, improved reliability liquid hydrogen pump system in Alameda County capable of 10 kilogram-per-minute fills for applications including light, medium-, and heavy-duty on-road vehicles, and adopting staff's determination that this action is exempt from CEQA. (General Fund Funding) Contact: Daniel Siu
- e. Local Ordinance for the City of San Luis Obispo. Proposed resolution making findings pursuant to Public Resources Code section 25402.1(h)(2) concerning the City of San Luis Obispo's local ordinance, which requires that all newly constructed buildings exceed the efficiency requirements of the 2022 Energy Code by a specific margin depending on the respective building type. Contact: Danuta Drozdowicz

Public Comment:

Steve Uhler commented on 3a.

Commissioner Monahan moved to approve Item 3. Vice Chair Gunda seconded. The vote was Yes (5-0).

4. Information Item - STEP Division Efforts to Optimize Performance of Jurisdictional Facilities During Summer 2023.

Staff will present an overview of the Siting, Transmission, and Environmental Protection (STEP) Division's actions to address the performance of resources credited to resource adequacy requirements by the CEC jurisdictional power plant fleet in preparation for potential 2023 summer heat waves. Contact: Elizabeth Huber (Staff Presentation: 10 minutes)

Information item only, no vote taken.

5. Renewables Portfolio Standard 2017-2020 Verification Results Reports.

Proposed resolution adopting multiple Renewables Portfolio Standard Verification Results Reports for Publicly Owned Electric Utilities (POUs) for Compliance Period 3 (2017-2020). Each report provides information specific to that POU on the number of eligible renewable energy credits (REC) retired and applied for the Compliance Period 3 Procurement Target. Each report details RECs by Portfolio Content Category classification; Long-Term Procurement Requirement classification, as applicable; prior balances and ending balances of historic carryover and excess procurement; the REC procurement target and portfolio balance requirements; and optional compliance measures. Contact: Kevin Chou (Staff Presentation: 10 minutes)

Public Comment:

Steve Uhler commented on Item 5.

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

6. Form Energy, Inc.

Proposed resolution adopting CEQA findings, a Mitigated Negative Declaration (MND), and a Mitigation Monitoring and Reporting Program (MMRP) for Form Energy, Inc.'s Commercial Demonstration of a Long-Duration Energy Storage System Agreement, number LDS-22-004, and approving amendment #1 to agreement LDS-22-004 with Form Energy, Inc. (LDES Funding). Contact: Yahui Yang (Staff Presentation: 5 minutes)

- a. CEQA. Possible adoption of an MND and MMRP as lead agency for construction and operation of the East Road Storage Project in Mendocino County. Possible adoption of CEQA findings, inclusive of the findings in the October 2023 Initial Study (IS) and MND, and finding that all project-related environmental impacts would be reduced to a less than significant level with the incorporation and implementation of the mitigation measures proposed in the IS for the technical areas of biological resources, cultural resources and cultural tribal resources, geology and soils, hazards and hazardous materials, noise, and transportation.
- b. Form Energy, Inc.'s Commercial Demonstration of a Long-Duration Energy Storage System. Possible approval of amendment #1 to agreement LDS-22-004 for term extension, budget augmentation, and scope of work revision. This amendment will increase the funding by \$29,920,400 for a total of \$30,000,000, extend the project term by five years and one month, and modify the scope of work to include project tasks to construct and operate an iron-air energy storage system with a capacity of 5 megawatts (MW)/500 megawatt hours (MWh) in Mendocino County. The commercial deployment of this long-duration energy storage technology will demonstrate a cost-effective solution to support grid reliability, resilience, and decarbonization.

Public Comment:

Jason Houck commented on Item 6.

Steve Uhler commented on Item 6.

Commissioner McAllister moved to approve Item 6. Chair Gunda seconded. The vote was Yes (5-0).

7. Electric School Bus Bi-Directional Infrastructure – GFO-22-612.

This solicitation sought to fund projects that support the ability to enable managed charging and bi-directional power flow for electric school buses and their infrastructure. This item includes three projects totaling \$7,834,745 (General Fund Funding) Contact: Lauren Jansen (Staff Presentation: 10 minutes)

- a. Storer Transportation Service. Proposed resolution approving agreement ZVI-23-005 with Storer Transportation Service for a \$3,000,000 grant to install 37 bi-directional charging ports at two Modesto school district sites, and adopting staff's determination that this action is exempt from CEQA. Storer Transportation Service and its partners will utilize experience and lessons learned to inform the development of a vehicle-to-grid blueprint as a replicable, scalable approach to help other school bus fleets transition to zero-emission buses and bi-directional charging infrastructure.
- b. Nuvve Holding Corp. (Nuvve). Proposed resolution approving agreement ZVI-23-006 with Nuvve for a \$1,910,703 grant to install at least three bi-directional charging ports and electrical equipment for microgrids at two San Diego school district sites, and adopting staff's determination that this action is exempt from CEQA. This project will expand vehicle-to-grid capabilities through the integration of bi-directional charging ports with microgrids utilizing battery energy storage systems as backup power. Nuvve will develop a scalable vehicle-to-grid and vehicle-to-building blueprint to demonstrate opportunities for other school districts to transition to zero-emission school buses and bi-directional charging infrastructure.
- c. The Mobility House, LLC. Proposed resolution approving agreement ZVI-23-007 with The Mobility House, LLC, for a \$2,924,042 grant to install at least 12 single port bi-directional chargers across four parking lot sites owned by three California unified school districts, Napa Valley, Pittsburg, and Fremont, and adopting staff's determination that this action is exempt from CEQA. The Mobility House, LLC and its partners will also develop a vehicle-to-grid and vehicle-to-building blueprint as a replicable, scalable approach to help other school bus fleets transition to zero-emission buses and bi-directional charging infrastructure.

Public Comment:

Sarah Storer with Storer Transportation Service commented on Item 7a.

Commissioner Monahan moved to approve Item 7a and 7b. Commissioner Gallardo seconded. The vote was Yes (5-0).

Public Comment:

Sam Hill-Cristol with The Mobility House commented on Item 7c.

Commissioner Gallardo moved to approve Item 7c. Vice Chair Gunda seconded. The

vote was Yes (4-0) with commissioner Monahan abstaining.

8. Senate Bill 114 Funded Charging and Refueling Infrastructure Program Guiding Principles (Docket 18-TRAN-01).

Proposed resolution adopting guiding principles for the Senate Bill 114 (Stats. 2023, ch. 48, § 96) Funded Charging and Refueling Infrastructure Program (Program), and adopting staff's determination that this action is exempt from CEQA. The Program will fund zero-emission school bus charging or fueling infrastructure and related activities, including but not limited to, charging and fueling stations, equipment, site design, construction, and related infrastructure upgrades. These guiding principles provide a framework for program design, which will be developed and implemented by a competitively selected third-party administrator. Contact: Elizabeth Menchaca-Guhl (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Monahan moved to approve Item 8. Vice Chair Gunda seconded. The vote was Yes (5-0).

9. Minutes.

Possible approval of the November 8, 2023, Business Meeting minutes.

Public Comment:

None.

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

10. Lead Commissioner or Presiding Member Reports.

The Commissioners reported on their recent activities.

11. Executive Director's Report.

The Executive Director gave a report.

12. Public Advisor's Report.

The Public Advisor gave a report.

13. Chief Counsel's Report.

The Chief Counsel gave a 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 pending litigation:

i. Pit River Tribe, et al. vs. California Energy Commission (Shasta County Superior Court, Case No. 23CV-0203737).

ii. California Energy Commission agreement with CalCERTS, Inc. (23-HERS-02).

There being no further business the meeting was adjourned.

Respectfully submitted,

Signed By:

BLANCA CAMBEROS
Secretariat