

State of California

California Energy Commission Minutes of the April 10, 2024, Energy Commission Business Meeting

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

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**

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:

Claire Warshaw commented on Item 1.

Hoiyin Ip commented on Item 1.

Bryce Nesbitt commented on Item 1.

Sahm White commented on Item 1.

Melissa Yu with the Sierra Club commented on Item 1.

Jonny Kocher commented with Rocky Mountain Institute on Item 1.

Bill Woodbridge commented on Item 1.

Kimberly Orb with Korea Town 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. Placer County Water Agency. Proposed resolution approving agreement 009-23-ECI with Placer County Water Agency for a \$3,000,000 loan at one percent interest, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). The loan will finance the installation of a 674.1 kW ground and canopy mounted solar PV system in Auburn. The project is estimated to reduce approximately 1,055,496 kWh of electricity consumption in the first year, saving approximately \$268,373 in utility costs per year. The simple payback period is approximately 11.2 years. (ECAA Funding) Contact: Sean Lockwood
- b. San Francisco Bay Area Rapid Transit District. Proposed resolution approving agreement ARV-23-007 with the San Francisco Bay Area Rapid Transit District (BART) for a \$2,280,200 grant to install at least 172 Level 2 electric vehicle charging ports across two BART station parking facilities in Daly City and Colma, and adopting staff's determination that this action is exempt from CEQA. This project will provide highly visible charging to BART riders and the local community, including over 3,000 adjacent multi-family housing units, with the goal of enhancing driver confidence in locating Level 2 chargers. (Clean Transportation Program Funding) Contact: Madison Jarvis
- c. International Council on Clean Transportation Inc. Proposed resolution approving agreement 600-23-006 with International Council on Clean Transportation Inc. (ICCT) for a \$15,000 one-year membership in the International Zero-Emission Vehicle Alliance (ZEV Alliance). The ZEV Alliance was formed by national and subnational jurisdictions to accelerate adoption of zero-emission vehicles. As a member, the CEC will have the opportunity to participate in ZEV Alliance coordination meetings. (Clean Transportation Program Funding) Contact: Katherine Dillon

Public Comment:

Bryce Nesbitt commented on Item 3c.

Vice Chair Gunda moved to approve Items 3a-b. Commissioner McAllister seconded. The vote was Yes (5-0).

Commissioner Monahan recused herself from the vote on Item 3c and left the room. Vice Chair Gunda moved to approve Item 3c. Commissioner McAllister seconded. The vote was Yes (4-0) with commissioner Monahan abstaining. Commissioner Monahan returned to the room after the vote was taken.

4. Information Item – Department of Water Resources (DWR) Update on Strategic Reliability Reserve Investments.

In accordance with Assembly Bill 205 (Stats. 2022, ch. 61), DWR is required to provide a quarterly update to the CEC regarding current and planned investments being considered for California's Electricity Supply Strategic Reliability Reserve Program. DWR will present the status of its efforts in response to the legislation and the activities taken since last quarter. Contact: Delphine Hou (DWR Presentation: 10 minutes)

Information item only, no vote taken.

5. Information Item – Jobs First Collaboratives, California Jobs First Council, and Jobs First Operational Plan.

Staff leads of the California Jobs First effort will present on the Governor's new California Jobs First Council and the \$600 million Regional Investment Initiative (formerly the Community Economic Resilience Fund, or CERF) launched by Governor Newsom in 2021 to create high-quality, accessible jobs and help build resilience to the effects of climate change and other global disruptions impacting the state's diverse regional economies. This effort and subsequent investments have supported the creation of Jobs First Collaboratives in each of the state's 13 economic regions that will develop strategies and investment recommendations for their respective regions. Governor Newsom recently announced the creation of the new California Jobs First Council and Jobs First Operational Plan focused on creating jobs and aligning investments to jumpstart the work of these regional collaboratives and to accelerate economic and workforce projects throughout the state. The Council and a new operational plan will guide the state's investments in economic and workforce development to create more family-supporting jobs and prioritize industry sectors for future growth, including clean energy industries. The Labor and Workforce Development Agency (LWDA) is helping lead this effort and will provide the briefing. Contact: Derek Kirk (LWDA Presentation: 10 minutes)

Information item only, no vote taken.

6. Information Item – Appliance Efficiency Enforcement Wasted Energy and Water Calculator

Staff will present the wasted energy and water calculator developed to identify the wasted energy and water associated with non-compliant appliance product sales in California. Contact: Maunee Sanchez (Staff Presentation: 15 minutes)

Information item only, no vote taken.

7. Information Item – Update on Data Visualization and Exploration Tools

Staff will provide an update on efforts to improve data communication, visualization, and access for the public. This presentation will focus on progress made since the last business meeting update on this topic and expected progress for the remainder of the calendar year. Contact: Jason Harville (Staff Presentation: 5 minutes)

Information item only, no vote taken.

8. Federal and Administrative Updates Rulemaking (Docket No. 22-AAER-04).

Consideration and possible adoption of a resolution amending Appliance Efficiency Regulations (Cal. Code Regs., tit. 20, §§ 1601-1609) to provide federal alignment and administrative updates, and adopting staff's determination that this action is exempt from CEQA. This action comes after a 45-day public comment period, public hearing, and subsequent 15-day public comment period in conformance with the California Administrative Procedure Act. Contact: Carlos Baez (Staff Presentation: 5 minutes)

Public Comment:

None.

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

9. C Note Limited Partnership's Application for a Solar Photovoltaic Exception Determination.

Proposed order finding that certain public agency rules change the CEC's cost-effectiveness conclusions, made pursuant to Public Resources Code 25402(b)(3), for a 108-unit low-rise multifamily project in Lodi called The Benjamin Project; finding that pursuant to title 24, part 1, section 10-109(k) the solar photovoltaic requirements in title 24, part 6, section 150.1(c)14 of the 2019 Energy Code shall not apply to this project; and adopting staff's determination that this action is exempt from CEQA. Contact: Muhammad Saeed (Staff Presentation: 5 minutes)

Public Comment:

Brad Hebner with California Solar & Storage Association (CALSSA) commented on Item 9.

Laura Haider commented on commented on Item 9.

Bronte Payne with Sun Power commented on 9.

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

10. Electric Program Investment Charge (EPIC) 2023 Annual Report.

Consideration and possible adoption of a resolution approving staff's Electric Program Investment Charge 2023 Annual Report to be submitted to the Legislature and the California Public Utilities Commission by April 30, 2024. Contact: Rachel Salazar (Staff Presentation: 10 minutes)

Public Comment:

None.

Commissioner McAllister moved to approve Item 10. Vice Chair Gunda seconded. The vote was Yes (5-0).

11. Order Instituting Rulemaking (OIR) on Electric Vehicle Charger Standards, Including Payment Methods and Interoperability Under Senate Bill 123 (Docket No. 24-TRAN-02).

Proposed OIR to adopt or modify regulations for electric vehicle (EV) charger payment methods, reporting, labeling, signage, and interoperability billing standards, including pursuant to authority transferred to the CEC by Senate Bill 123, sections 3 through 5 (Stats. 2023, ch. 52). CEC staff will solicit stakeholder input on proposed regulations and interoperability billing standards to improve the EV driver charging experience, publish a proposed regulatory framework for public input, and submit proposed regulations to the Office of Administrative Law. Contact: Jim Harms (Staff Presentation: 5 minutes)

Public Comment:

None.

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

12. National Technology & Engineering Solutions of Sandia, LLC as Management and Operating Contractor for the Sandia National Laboratories, hereinafter referred to as “Sandia National Laboratories.”

Proposed resolution approving agreement LDS-23-001 with Sandia National Laboratories for a \$2,000,000 federal cost share grant through a Cooperative Research and Development Agreement to perform critical evaluation of energy storage technologies and technoeconomic analysis to assist the CEC in the implementation of long duration energy storage (LDES) demonstration projects, and adopting staff’s determination that this project is exempt from CEQA. This project will develop tools to quantify the greenhouse gas emissions reductions. Sandia National Laboratories will also participate in the U.S. Department of Energy (DOE) LDES Consortium to shape policies and share best practices for wider adaptation of LDES in the US. (LDES Funding) Contact: Caitlin Planchard (Staff Presentation: 5 minutes)

Public Comment:

None.

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

13. Cohen Ventures, Inc. DBA Energy Solutions.

Proposed resolution conditionally approving agreement 500-23-003 with Cohen Ventures, Inc. DBA Energy Solutions for a \$96,685,000 contract to augment the TECH Clean California program as Phase I of CEC’s application to the DOE under the Inflation Reduction Act High Efficiency Electric Home Rebate Act (HEEHRA) program, and adopting staff’s determination that this action is exempt from CEQA. TECH Clean California is a contractor point-of-sale program that offers incentives, technical assistance, and installer training to address barriers associated with building decarbonization market transformation across California. This agreement will complement the TECH Clean California program to provide residential electrification equipment and appliances rebates that meet DOE requirements and are allowable under the HEEHRA grant for income-eligible single-family and multifamily dwellings. This agreement is contingent on receiving a federal award under the HEEHRA program. (Federal Funding) Contact: Christine Collopy (Staff Presentation: 5 minutes)

Public Comment:

Teddy Kish with Energy Solutions commented on Item 13.

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

14. CALSTART, Inc. (ZVI-23-015)

Proposed resolution approving agreement ZVI-23-015 with CALSTART, Inc., for up to \$390,000,000, and adopting staff's determination that this action is exempt from CEQA. This agreement is for a block grant to design, implement, and fund, with CEC oversight, zero-emission school bus charging and fueling infrastructure projects for local educational agencies throughout California. This agreement initially provides up to \$5,000,000 for administrative costs for CALSTART to design and implement up to \$125,000,000 currently available for incentive projects. Subject to future appropriations in the California State Budget, up to \$10,000,000 for administrative costs and \$250,000,000 in grant incentive funding may be added to this agreement, up to the maximum of \$390,000,000 with approval of the CEC's Executive Director through an amendment. (General Fund Funding) Contact: Kay Williams (Staff Presentation: 5 minutes)

Public Comment:

Alyssa Haerle with CALSTART commented on Item 14.

Commissioner Monahan moved to approve Item 14. Vice Chair Gunda seconded. The vote was Yes (5-0).

15. CALSTART, Inc. (ARV-20-006)

Proposed resolution approving amendment 6 to agreement ARV-20-006 with CALSTART, Inc. to 1) increase the agreement's contingent spending authority by up to \$268,720,000 with approval of CEC's Executive Director through an amendment; 2) modify the terms and conditions; and 3) revise the Scope of Work with new reliability and data requirements; and adopting staff's determination that this action is exempt from CEQA. This amendment does not increase the current agreement amount of \$275,983,982. This agreement is for a block grant to design, implement, and fund, with CEC oversight, various medium- and heavy-duty zero-emission vehicle electric charging and hydrogen refueling infrastructure incentive projects throughout California. (General Fund Funding) Contact: Michelle Vater (Staff Presentation: 5 minutes)

Public Comment:

Tesi Bravo with CALSTART commented on Item 15.

Commissioner Monahan moved to approve Item 15. Vice Chair Gunda seconded. The vote was Yes (5-0).

16. County of Los Angeles.

Proposed resolution approving agreement ARV-23-011 with County of Los Angeles for a \$4,000,000 grant and adopting staff's determination that this action is exempt from CEQA. This project will install at least 320 Level 2 charging ports within a quarter mile of multi-family housing properties throughout the Southern California project area, as defined in the REACH 2.0 solicitation, to increase EV charging access for multi-family housing residents. (Clean Transportation Funding) Contact: Sarah Birnbaum (Staff Presentation: 5 minutes)

Public Comment:

Lujana Medina with the County of Los Angeles commented on Item 16.

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

17. Responsive, Easy Charging Products with Dynamic Signals (REDWDS) – GFO-22-609.

This solicitation sought projects that develop and deploy charging products that help customers manage EV charging in response to grid signals and save money on charging costs. This item includes five projects totaling up to \$106,695,660. (General Fund and Clean Transportation Program Funding) Contact: Jeffrey Lu (Staff Presentation: 5 minutes)

- i. Compass Global, Inc. Proposed resolution approving agreement ARV-23-008 with Compass Global, Inc. for up to \$7,156,205, and adopting staff's determination that this action is exempt from CEQA. This agreement initially provides \$1,570,805 to deploy a hyper-scalable, telematics-based EV managed charging solution to over 20,000 grid-connected EVs primarily for California drivers in disadvantaged communities who are enrolled in a time-varying or dynamic electricity rate program. Additional funding, up to \$7,156,205 total, may, with approval from the CEC's Executive Director through an amendment, be added to increase the program scale to 100,000 telematics-based, grid-connected EV customer deployments.
- ii. Kaluza (US) LLC. Proposed resolution approving agreement ARV-23-009 with Kaluza (US) LLC for up to \$3,355,659 and adopting staff's determination that this action is exempt from CEQA. This agreement initially provides \$1,547,829 to adapt an existing EV managed charging product to be responsive to dynamic signals, such as dynamic electricity rates and emergency demand response signals. The product will be deployed to residential customers – at least 300 unidirectional charging customers and 30 bidirectional charging customers – in Pacific Gas and Electric Company's territory. In some cases, new EVSE will be deployed with project funds; in others, the software will be connected to existing EVSE. Additional funding, up to \$3,355,659 total, may, with approval from the CEC's Executive Director through an amendment, be added to expand deployment to an additional 1,000 unidirectional charging customers and 100 bidirectional charging customers. At least 50 percent of deployments will be in disadvantaged or low-income communities.
- iii. dcbel LLC. Proposed resolution approving agreement ARV-23-010 with dcbel LLC for up to \$52,390,052, and adopting staff's determination that this action is exempt from CEQA. This agreement initially provides \$2,466,148 to accelerate the deployment of the Home Energy Station (HES) product, a bidirectional electric vehicle charger, to residential properties and to leverage the product for participation in dynamic electricity rate programs and energy discharging events. Additional funding, up to \$52,390,052 total, may, with approval from the CEC's Executive Director through an amendment, be added to accelerate the market

penetration of bidirectional HES chargers to fully support transactive residential energy programs with investor-owned utilities, publicly owned utilities and community choice aggregators in California.

- iv. Prologis Mobility LLC. Proposed resolution approving agreement ZVI-23-014 with Prologis Mobility LLC for \$2,498,500, and adopting staff's determination that this action is exempt from CEQA. This agreement will install 35 multi-port direct current fast chargers utilizing EV fleet charging management software and approximately 12 on-site linear generator units for fleet charging at three charging depots in Los Angeles and San Bernardino County.
- v. ev.energy Corp. Proposed resolution approving agreement ZVI-23-016 with ev.energy Corp. for up to \$41,295,244, and adopting staff's determination that this action is exempt from CEQA. This agreement initially provides \$1,597,084 to scale the adoption of dynamic tariffs and demand response programs across California through an equipment-agnostic charge management platform to 1,000 deployments. Additional funding, up to \$41,295,244 total, may, with approval of the CEC's Executive Director through an amendment, be added to scale dynamic tariff adoption to 275,000 deployments.

Public Comment:

Samuel Goda with Kaluza commented on Item 17ii.

Steve Mannhard with Prologis commented on Item 17iv.

Tanuj Deora with ev.energy commented on Item 17v.

Commissioner Monahan moved to approve Item 17i-17v. Vice Chair Gunda seconded. The vote was Yes (5-0).

18. California Clean Energy Planning Program (CCEPP) - GFO-23-702.

Proposed resolution approving the CCEPP grant solicitation and directing CEC staff to ministerially process applications and award grants that meet all applicable solicitation requirements. This solicitation makes: 1) \$1,050,000 in grant funding available to California Native American tribes for clean energy planning and participation in statewide clean energy and energy infrastructure planning activities, and 2) \$500,000 in grant funding available to local government entities to develop new or updated land use planning documents that support the development of clean energy in their jurisdictions. Total funding for the solicitation is \$1,550,000. (General Fund Funding) Contact: Kristy Chew (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Vice Chair Gunda moved to approve Item 18. Commissioner Gallardo seconded. The vote was Yes (5-0).

19. Minutes.

Possible approval of the March 13, 2024 Business Meeting minutes.

Public Comment:

None.

Commissioner Monahan moved to approve Item 19. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister abstaining.

20. Lead Commissioner or Presiding Member Reports.

The Commissioners reported on their recent activities.

21. Executive Director's Report.

The Executive Director did not give a report

22. Public Advisor's Report.

The Public Advisor provided a report.

23. Chief Counsel's Report.

The Chief Counsel did not give a report.

- a. Pursuant to Government Code section 11126(a)(1), the CEC may adjourn to closed session with its legal counsel to consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.
- b. 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. Shasta County and Pit River Tribe, et al. vs. California Energy Commission (Shasta County Superior Court, Case No. 23CV-0203737).
 - ii. State of California Department of Industrial Relations Division of Labor Standards Enforcement Legal Section: In the Matter of the Request for Appeal from Citation Issued Against: California Energy Commission; Anheuser-Busch, LLC, Respondents, State Case Number: 48-76293.

The Commission went into closed session in accordance with Agenda Item 23(a). After closed session Chair Hochschild returned to note there was no action to report out and to adjourn the meeting. There being no further business the meeting was adjourned.

Respectfully submitted,

Signed By:

BLANCA CAMBEROS
Secretariat