



Item 4: Information Item - CEC Licensing Authority Pursuant to AB 205

March 17, 2025 Business Meeting

Elizabeth Huber

Director

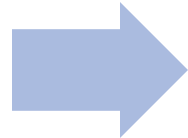
Siting, Transportation & Environmental Protection Division



CEC Authority

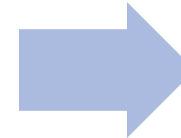
June 30, 2022

- Governor Newsom Signs Assembly Bill 205



October 12, 2022

- CEC Adopts Emergency Regulations and MOUs with Responsible and Trustee Agencies



October 24, 2022

- Office of Administrative Law Approves the Emergency Regulations



Benefit to Californians



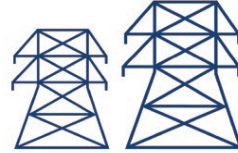
Solar photovoltaic or terrestrial wind electrical generating power plants 50 megawatts (MW) or greater



Energy storage systems capable of storing 200 megawatt-hours (MWh) or more



A stationary power plant using any source of thermal energy, excluding fossil or nuclear fuels, 50 MW or greater



Certain transmission lines associated with these generating and storage facilities



Specified facilities that manufacture or assemble clean energy or storage technologies or related components



Hydrogen production facility (not derived from fossil fuel feedstock) and associated onsite storage and processing facilities



Application Requirement & Result

- **Requirement**

The Opt-In program requires the developer to present its **complete environmental analysis** and **preliminary engineering design** of their proposed facility.

- **Result**

CEC License which is equivalent to a **Conditional Use Permit** and **Permit to Construct** (Building Permit).



Opt-In Coordination Plans



Source: CDFW



Source: State Water Board



Source: DTSC



Opt-In Process Outline

Pre-Filing Meeting

- **30 Days Prior to Filing Application**
- **Project Docket Established**
- **Fees Submitted with Application**

Pre-Application Review

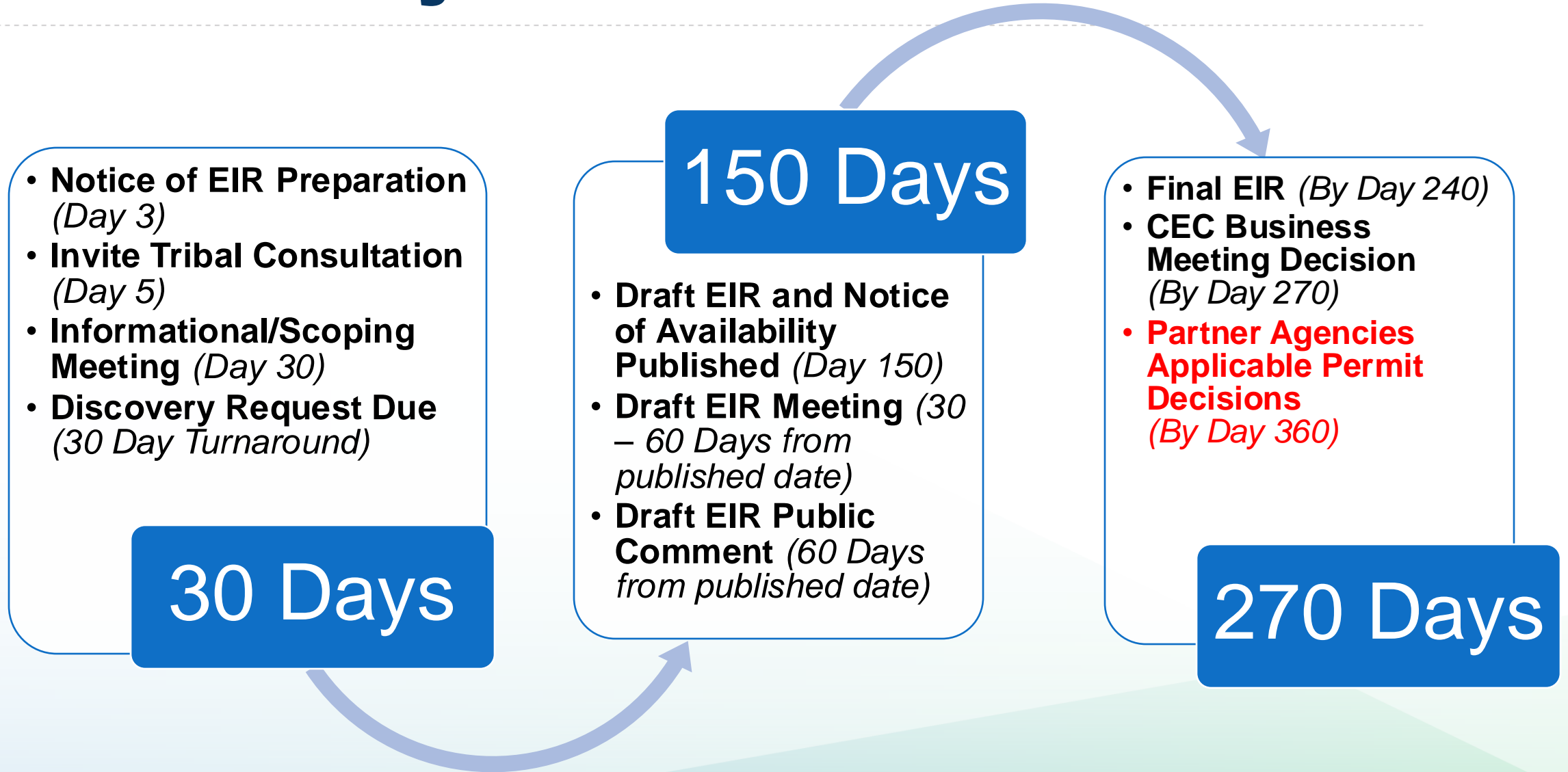
- **30 Days to Conduct Application Completeness Review**
- **Additional Data and Information Can Be Requested**
- **Notice and Application Shared with Local Government, Public Agencies, and Tribes**
- **Deem Application Complete**

Permitting Review

- **270 Days to Conduct Environmental and Engineering Review and Bring Staff Recommendations to a CEC Business Meeting**



270 Day Process Milestones





CEC Findings Required to Approve Opt-In Projects

Project Provides an Overall Net Positive Economic Benefit to the Local Government

Applicant Signed a Community Benefits Agreement

Applicant Paying Prevailing Wage to Skilled and Trained Workforce

Project Complies with Applicable Laws, Ordinances, Regulations, and Standards or Required for Public Convenience or Necessity

Significant effects of the project will be avoided or mitigated, or statement of overriding considerations for significant effects found infeasible to avoid or mitigate



CEC Website



Opt-In Certification Program
<https://www.energy.ca.gov/programs-and-topics/topics/power-plants/opt-certification-program>

- Projects Under Review
- Opt-In Fact Sheet
- Opt-In FAQ
- Opt-In Process Timeline