



**California Energy Commission
March 12 Business Meeting
Backup Materials for Energy Data Collection Regulations – Phase 3 for Natural
Gas and Renewable Natural Gas Data Collection (Docket No. 25-OIR-02)**

The following backup materials for the above-referenced agenda item are available as described below:

1. Proposed Resolution, attached below.
2. Memorandum.

For the complete record, please visit: [Docket 25-OIR-02](#).

To stay informed about this project and receive documents as they are filed, please subscribe to the proceeding Topic, which can be accessed here: [Energy Data Collection Rulemaking](#). The Topic sends out email notifications and direct links when documents are filed in the proceeding docket.

CALIFORNIA ENERGY COMMISSION

PROPOSED RESOLUTION: RULEMAKING IMPLEMENTING PHASE 3 FOR NATURAL GAS AND RENEWABLE NATURAL GAS DATA COLLECTION

RESOLUTION NO: [26-0312]-XX

WHEREAS, on December 19, 2025, the State Energy Resources Conservation and Development Commission (“California Energy Commission” or CEC) mailed and posted on the CEC’s website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC’s intent to adopt proposed regulations for Energy Data Collection – Phase 3 for Natural Gas and Renewable Natural Gas Data Collection, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the Economic Impact Statement (Form 399); and

WHEREAS, on December 19, 2025, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, and distributed to the CEC’s Increase Access to Energy Data email subscription lists; and

WHEREAS, on January 20, 2026, the CEC staff for the rulemaking held a Public Workshop, to receive oral comments on the proposed regulations to the Energy Data Collection – Phase 3 for Natural Gas and Renewable Natural Gas Data Collection; and

WHEREAS, on February 3, 2026, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on February 9, 2026, the CEC published a Notice of 15-day comment period proposing changes to the Express Terms based on comments received during the 45-day comment period and the January 20, 2026, Public Workshop; and

WHEREAS, on February 25, 2026, the 15-day comment period closed; and

WHEREAS, on February 27, 2026, the CEC staff posted a Notice of Adoption Hearing, informing interested parties and the public that the CEC would consider and possibly adopt the proposed regulations at the March 12, 2026, Business Meeting of the CEC; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC’s Increase Access to Energy Data email subscription list and to every person who had requested notice of such matters, and was posted to the CEC’s website via docket number 25-OIR-02; and

WHEREAS, on March 12, 2026, the CEC considered adoption of the proposed regulations at its Business Meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to CEQA:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations are not a “project” for purposes of CEQA as this action does not result in any direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and even if the adoption of the proposed regulations is a project for purposes of CEQA, it would be exempt per California Code of Regulations, title 14, section 15306 as a data collection activity and exempt under the common sense exemption located in California Code of Regulations, title 14, section 15061(b)(3); and

With regard to the Warren-Alquist Act:

- The CEC has the authority to adopt rules and regulations to carry out the Warren-Alquist Act per Public Resources Code sections 25213 and 25218(e); and
- The CEC is the central repository within state government for “the collection, storage, retrieval, and dissemination of data and information on all forms of energy supply, demand, conservation, public safety, research, and related subjects” per Public Resources Code section 25216.5; and
- The CEC manages a data collection system to support its policy and analytical efforts per Public Resources Code section 25320; and
- The CEC’s data collection system has protections for confidential information per Public Resources Code section 25322 and its implementing regulations; and
- The CEC is coordinating with other state agencies to exchange information and data related to energy resources in order to avoid unnecessary duplication of effort; and
- The CEC is adopting these regulations to support its data collection efforts and improve its policy development and analyses as well as support other state agencies in their efforts related to energy usage; and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and

- The proposed regulations will not impose direct cost or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will not result in costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will not have an impact on housing costs; and
- The proposed regulations will result in cost impacts to representative private persons or businesses in reasonable compliance with the regulations resulting from increased submission of data reports amounting to \$14,575,168; and
- The proposed regulations will not adversely impact the health and welfare of California residents, or worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purpose of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will not require completion of any new report, but minimal reporting of required information will be necessary. It is necessary for the health, safety, and welfare of the people of the state that these regulations apply to business; and
- None of the comments received during each separate comment period, public workshop, or at the business meeting where the proposed regulations were

adopted, and nothing else in the record, justified any changes to the proposed regulations as published on February 9, 2026.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations do not result in any direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore this is not a project for purposes of CEQA, and even if the adoption of the proposed regulations is a project for purposes of CEQA, it is exempt from CEQA under the categorical exemption under section 15306, and the commonsense exemption because it can be seen with certainty that there is no possibility that the proposed regulations will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, that, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the proposed regulations, as set forth in the express terms that were published on February 9, 2026 and incorporating any changes presented and adopted today.

The CEC takes this action under the authority of sections 25213, 25218(e) of the Public Resources Code, which authorize the CEC to adopt any rule or regulation to carry out the Warren-Alquist Act including data collection; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in [Docket 25-OIR-02](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=25-OIR-02), <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=25-OIR-02>; and

FURTHER BE IT RESOLVED, that, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and filing a notice of exemption with the Office of Planning and Research. This delegation explicitly includes authority for the Executive Director or Chief Deputy Director to Sign the Form 400 on behalf of the CEC.

APPROVED AND ADOPTED this xth day of MM YYYY, by the following vote:

AYE:

NAY:

ABSENT:

ABSTAIN:

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on MM DD, YYYY.

Kim Todd
Secretariat

Memorandum

To: Docket 25-OIR-02

Date: February 25, 2026

From: **Aleecia Gutierrez, Deputy Director**
Energy Assessments Division
California Energy Commission

Subject: Basis for Finding the Additions and Amendments to the Natural Gas and Renewable Natural Gas Data Collection Regulations Exempt under the California Environmental Quality Act

I. CEQA

The California Environmental Quality Act (CEQA) (Public Resources Code (PRC) section 21000 *et seq.*; *see also* CEQA Guidelines, California Code Regulations (CCR), Title 14, section 15000 *et seq.*) requires state agencies consider the environmental impact of their discretionary decisions and determine whether or not CEQA applies. Additionally, CEQA allows for certain projects to be exempted from its requirements. Of relevance here, and discussed further below, is a discussion of CEQA applicability as well as the Class 6 exemption (CCR, Title 14, section 15306) and the commonsense exemption (CCR, Title 14, section 15061(b)(3)).

II. The CEC's Data Collection Program

The Warren-Alquist Act established the California Energy Commission (CEC) as California's primary energy policy and planning agency. The Legislature over the years has made specific findings concluding CEC's work in collecting data related to the energy sector in order to support the state's policies. Notably, the Legislature has found the following: "information should be acquired and analyzed by the State Energy Resources Conservation and Development Commission in order to ascertain future energy problems and uncertainties" (PRC, section 25005.5); "that the state government requires at all times a complete and thorough understanding of the operation of energy markets, including electricity, natural gas, petroleum, and alternative energy sources, to enable it to respond to possible shortages, price shocks, oversupplies, or other disruptions" (PRC, section 25300(c)); and "that timely reporting, assessment, forecasting, and data collection activities are essential to serve the information and policy development needs of the Governor, the Legislature, public agencies, market participants, and the public." (PRC, section 25300(d)).

With regard to this specific project, section 25301 of the PRC authorizes and mandates the CEC to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices." The CEC is then to use those "assessments and forecasts to develop and evaluate energy policies and programs that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety." (*Id.*)

These forecasting and assessment activities are developed as part of the Integrated Energy Policy Report (IEPR) that is mandated every two years. (PRC section 25302.) As part of the IEPR process, the CEC adopts a detailed energy demand forecast that is used by other energy agencies to identify resource additions needed to ensure reliability, while still meeting California air pollution mitigation goals. (PRC section 25302(f).) In addition, the demand forecast is used “for analyzing the success of and developing policy recommendations for public interest energy strategies.” (PRC section 25305.) As part of this comprehensive energy assessment, the CEC conducts an electricity demand forecast, a natural gas demand forecast, a transportation energy demand forecast, and performs various energy market assessments and tracking assessments which evaluate energy supply constraints, system performance, and progress towards policy goals. (PRC, sections 25301(a); 25303(a)(2), (a)(5), & (a)(7); 25304(a), (c), (d), (f), & (g).)

The CEC is authorized to manage a data collection system for obtaining the information required to support its policy reports and analyses. (PRC, section 25320). The CEC “may require the submission of demand forecasts, resource plans, market assessments, related outlooks, individual customer historic electric or gas service usage, or both, and individual customer historic billing data, in a format and level of granularity specified by the commission from electric and natural gas utilities, transportation fuel and technology suppliers, and other market participants.” (PRC, section 25301). Furthermore, the CEC “[s]erve[s] as a central repository within the state government for the collection, storage, retrieval, and dissemination of data and information on all forms of energy supply, demand, conservation, public safety, research, and related subjects.” (PRC, section 25216.5(d).)

The CEC has promulgated regulations for its data collection program which can be found at California Code of Regulations, title 20, chapter 3, sections 1301-1394.2.

III. The Proposed Action

The goal of this action is to approve the additions and amendments to the regulations for the CEC’s data collection system in order to ensure that it has access to sufficient information for its analytical mandates.

Current data collection requirements are not sufficient to track new trends in energy sources nor are they able to monitor the new patterns of energy demand that utilize the technology needed to create these emission reductions. To continue California’s progress in decarbonizing and improving its efficient use of energy in residential, commercial, industrial, and transportation sectors, new data sources are necessary to ensure California and the CEC make informed recommendations. Additionally, recent shortages of natural gas and the planned transition away from natural gas needed to maintain reliable operation of the electric grid have highlighted the problem of inadequate information for assessing the function of the natural gas system.

To address these policy needs, the CEC is proposing to collect data that enhances the state’s knowledge of a natural gas system in transition to renewable resources. Improving supply and demand forecasts will give policymakers more information as to which parts of the natural gas system can be derated, repurposed, or decommissioned and when. Improved natural gas price, rates, and revenue forecasts that come from more information about natural gas prices and demand improve the state’s economic knowledge of the natural gas transition. Of particular interest is the impact to remaining customers on natural gas rates as the natural

gas transition may mean fewer natural gas utility customers along with continued costs to preserve system reliability and safety. CEC staff will also need to better understand the existing infrastructure over time necessitating the need for information such as how many miles of pipe have been decommissioned, how many miles of pipe have been repaired or replaced which can extend the life of system components and place decommissioning further out in the future, and what are the costs of modifying infrastructure to allow increased use of low carbon fuels including hydrogen and renewable natural gas.

This activity is consistent with the requirements of the Warren-Alquist Act and effectuates the purpose behind the CEC's data collection program to support its policy reports and analyses.

The CEC's approval of the proposed data collection regulations would not cause a direct or reasonably foreseeable indirect physical change in the environment.

IV. Applicability of CEQA

For purposes of complying with the California Environmental Quality Act ("CEQA," Pub. Resources Code, § 21000 *et seq.*), staff recommends the CEC find that the approval of the proposed data collection regulations is not a project under CEQA. California Code of Regulations, title 14, section 15060 states, in part, that a lead agency must first determine whether an activity is subject to CEQA and that an activity is not subject to CEQA if the activity is not a project as defined in section 15378. CEQA Guidelines section 15378 states that an activity is a project if it has the potential for resulting in either direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

In the case of the CEC approving the proposed data collection regulations, this action does not result in any direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment but, rather, approves the adoption of regulations related to data collection. Therefore, CEQA is not applicable to the CEC's approval of the proposed regulations.

Alternatively, as discussed below, CEQA exemptions apply should approval of the proposed data collection regulations be considered a project pursuant to CEQA.

V. Class 6 Exemption

CCR, Title 14, section 15306, exempts actions taken by a regulatory agency consisting of "basic data collection ... which do not result in a serious or major disturbance to an environmental resource." Approval of the proposed data collection regulations which regulate data collection does not result in a serious or major disturbance to an environmental resource and therefore falls within this categorical exemption.

VI. Common Sense Exemption

The approval of the proposed data collection regulations is also exempt from CEQA under the commonsense exemption. CEQA only applies to projects that have the potential for causing a significant effect on the environment. (CCR, Title 14, section 15061(b)(3).) A significant effect on the environment is defined as "a substantial, or a potentially substantial, adverse change in the environment," and does not include an economic change by itself. (PRC, section 21068; CCR, Title 14, section 15382.) The approval of the proposed data collection regulations will

result in changes to the data collected by the CEC. No significant adverse impacts to the environment have been identified as resulting from this action. For these reasons, adoption of proposed data collection regulations is exempt from CEQA under the commonsense exemption of section 15061(b)(3).

VII. Conclusion

As discussed above, approval of the proposed data collection regulations is not a project for purposes of CEQA, and therefore CEQA is not applicable to this action.

In the alternative, approval of the proposed data collection regulations is a regulatory action related to data collection that is categorically exempt from CEQA review under section 15306 of the CEQA Guidelines. Additionally, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and, therefore, this project is exempt pursuant to the commonsense exemption under section 15061(b)(3) of the CEQA Guidelines.