

**State of California**  
California Energy Commission  
Minutes of the March 12, 2019, 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  
Janea A. Scott, Vice Chair

Karen Douglas, Commissioner  
J. Andrew McAllister, Commissioner

**THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:**

1. CONSENT CALENDAR. (Items on the Consent Calendar 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. SUBPOENA FOR PROVISION OF DATA. Proposed ~~resolution~~ order approving subpoena directing the California Independent System Operator to provide data needed by Energy Commission staff to evaluate generation and transmission outages, congestion, and load in assessing resource adequacy and system reliability. Contact: Michael Nyberg.
  - b. CERRITOS COMMUNITY COLLEGE DISTRICT. Proposed resolution approving Amendment #2 to Contract #600-16-005 with Cerritos Community College District for an augmentation of \$1,000,000 and an 18-month time extension, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). Cerritos Community College District is the host for Advanced Transportation and Logistics (ATL), an initiative of the California Community Colleges Chancellor's Office. Under this contract, the District's ATL will continue to develop and implement clean fuel career pilot programs for high schools, focusing on underserved communities, minority groups and regions impacted by poor air quality. The amendment could potentially double the number of high schools receiving the program. (ARFVTP funding) Contact: Tami Haas.
  - c. PROSPECT SILICON VALLEY. Proposed resolution to approve Amendment 1 to Agreement EPC-17-040 with Prospect Silicon Valley to replace Prospect Silicon Valley as prime with subcontractor Rocky Mountain Institute. A three party agreement recital is included in the amended Scope of Work and delineates the roles and responsibilities for Prospect Silicon Valley, Rocky Mountain Institute, and the Energy Commission. This amendment also includes a budget reallocation between Prospect Silicon Valley and Rocky Mountain Institute. (EPIC funding) Contact: Felix Villanueva.

*Commissioner McAllister moved Item 1 and Commissioner Scott seconded. Commissioner Douglas was absent. The vote was 3-0.*
2. MARSH LANDING GENERATING STATION PETITION TO AMEND (08-AFC-03C). Proposed order granting the petition to amend to install a battery energy storage system and associated equipment at the Marsh Landing Generating Station to support a directed

restoration (black start) of the electrical grid in response to an emergency. Staff concludes that the proposed modifications will not result in a significant adverse impact to the environment. Contact: Keith Winstead. (Staff presentation: 5 minutes)

*Commissioner Douglas moved Item 2 and Commissioner McAllister seconded. The vote was 4-0.*

3. RENEWABLES PORTFOLIO STANDARD 2014-2016 VERIFICATION RESULTS REPORTS. Proposed resolution adopting multiple Renewables Portfolio Standard Verification Results Reports for Local Publicly Owned Electric Utilities for Compliance Period 2 (2014-2016), (RPS POU Verification Results Reports). Each RPS POU Verification Results Report contains information specific to that POU on procurement target and portfolio balance requirements and any deficits thereto, the amount of eligible renewable energy retired and applied shown by Portfolio Content Category and other classifications, any historic carryover and excess procurement amounts, and any optional compliance measures being applied. Contact: Theresa Daniels. (Staff presentation: 10 minutes)

*Commissioner Douglas moved Item 3 and Commissioner Scott seconded. The vote was 4-0.*

4. COUNTY OF LOS ANGELES. Proposed resolution finding that the County of Los Angeles' locally adopted building energy standards will require equal or greater energy efficiency than the *2016 Building Energy Efficiency Standards*. The ordinance requires supplemental green building standards mandating more stringent cool roof requirements for newly constructed buildings as well as for alterations and additions to existing buildings, subject to specified exemptions. Contact: Ingrid Neumann. (Staff presentation: 5 minutes)

*Commissioner McAllister moved Item 4 and Commissioner Douglas seconded. The vote was 4-0.*

5. CITY OF PLACERVILLE. Proposed resolution approving Agreement 003-18-ECD with the City of Placerville for a \$784,112 loan for seven energy measures including replacement of interior and exterior lighting, lighting controls, and HVAC units with more energy efficient units, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to save the City 320,835.53 kWh of electricity, resulting in annual energy cost savings of \$60,017. The simple combined average payback on the loan amount is approximately 13.1 years. (ECAA funding) Contact: Nelson Peña (Staff presentation: 5 minutes)

*Commissioner McAllister moved Item 5 and Commissioner Scott seconded. The vote was 4-0.*

6. BRINGING RAPID INNOVATION DEVELOPMENT TO GREEN ENERGY (BRIDGE), GFO-17-308. This solicitation sought proposals to fund applied research and technology demonstration and deployment energy efficiency projects that will allow researchers to continue their technology development without losing momentum or pausing to fundraise from private sources. This solicitation will pilot a new mechanism to competitively award follow-on funding for the most promising energy technologies that have previously received an award from an eligible California Energy Commission program or United States federal agency program. (EPIC funding) Contact: Rachel Salazar. (Staff presentation: 5 minutes)
  - a. PORIFERA, INC. Proposed resolution approving Agreement EPC-18-009 with Porifera, Inc. for a \$2,800,687 grant to conduct a pilot demonstration of the Porifera Forward Osmosis (PFO) Concentrator system at a watermelon food and beverage processing plant in California, and adopting staff's determination that this action is

exempt from CEQA. The PFO Concentrator system is expected to replace energy-intensive thermal evaporators that are commonly used to produce juice concentrates and freeze-dried powder products. Replacement of the thermal evaporators with the PFO Concentrator can provide 40-80 percent energy savings for each facility that utilizes this technology.

- b. PORIFERA, INC. Proposed resolution approving Agreement EPC-18-010 with Porifera, Inc. for a \$1,777,132 grant to develop new capabilities in its Porifera Forward Osmosis (PFO) Recycler to treat and convert high-starch wastewater into clean water for onsite reuse, and adopting staff's determination that this action is exempt from the CEQA. If successful, the new capabilities will enable the PFO Recycler to become a viable and energy-efficient solution for market segments in California's food and beverage manufacturing sector that produce these difficult-to-treat high-starch wastewater streams.

*Commissioner McAllister moved Item 6 subject to the substitution of the correct resolution in Item 6a and Commissioner Douglas seconded. The vote was 4-0.*

7. CALIFORNIA AIR RESOURCES BOARD AGREEMENT. Proposed resolution approving Agreement RMB800-18-003 with the California Air Resources Board (CARB) to reimburse the Energy Commission up to ~~\$200,000~~ \$250,000 to provide CARB with the 2019 California vehicle survey data and analysis, including commercial, residential and zero emission vehicle owner survey data. Contact: Aniss Bahreinian. (Staff presentation: 5 minutes)

*Commissioner Scott moved Item 7 and Commissioner McAllister seconded. The vote was 4-0.*

8. **Minutes.** Possible approval of the February 20, 2019 Business Meeting minutes.

*Commissioner Scott moved Item 8 and Commissioner Douglas seconded. The vote was 4-0.*

9. **Lead Commissioner or Presiding Member Reports.** The Commissioners reported on their recent activities. The Chair announced that the Commissioners will go into closed session as specified in Item 10.a.i and a.iii, which provides notice the Commission will adjourn to closed session with legal counsel pursuant to Government Code Section 11126(e) to discuss the following litigation to which the Energy Commission is a party. Helping Hand Tools v. California Energy Commission, and Vantage Data Centers LLC and Chukwuemeka (Emeka) Okemiri v. California Energy Commission, et al.

10. **Chief Counsel's Report.** None.

- a. Pursuant to Government Code section 11126(e), the Energy Commission may adjourn to closed session with its legal counsel to discuss any of the following matters to which the Energy Commission is a party:
  - i. *In the Matter of U.S. Department of Energy (High Level Waste Repository), (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); State of California v. United States Department of Energy (9th Cir. Docket No. 09-71014).*
  - ii. *Communities for a Better Environment and Center for Biological Diversity v. Energy Resources Conservation and Development Commission, and California State Controller (Alameda County Superior Court, Case No. RG13681262).*
  - iii. *State Energy Resources Conservation and Development Commission v. Electricore, Inc. and ZeroTruck (Sacramento County Superior Court #34-2016-00204586)*

- iv. *Natural Resources Defense Council, Inc., et al. v. United States Department of Energy* (Federal District Court, Northern District of California, #17-cv-03404).
- v. *City of Los Angeles, acting by and through, its Department of Water and Power v. California Energy Resources Conservation and Development Commission* (Los Angeles Superior Court, Case No. BS171477).
- vi. *Helping Hand Tools v. California Energy Commission, and Vantage Data Centers LLC.* (Sacramento Superior Court, Case No. 34-2018-80003026)
- vii. *In re: PG&E Corporation and In re: Pacific Gas and Electric Company* (United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 19-30088)
- viii. *Chukwuemeka (Emeka) Okemiri v. California Energy Commission, et al.* (Sacramento Superior Court, Case No. 34-2018-00246019.)

b. Pursuant to Government Code section 11126(e), the Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the Commission, which might include:

- 11. **Executive Director's Report.** The Executive Director gave a report.
- 12. **Public Adviser's Report.** The Public Adviser gave a report.
- 13. **Public Comment:** Steve Uhler.
- 14. **Adjournment:** Adjournment in honor of Nellie Yung-Weeks and Richard Maullin.

Appearances:

(\*by telephone)

\*Joshua Hussey, County of Los Angeles Department of Public Works

George Piantka, NRG

Olgica Bakajin, Porifera

Melanie Zauscher, California Air Resources Board

Steve Uhler

There being no further business, the meeting was adjourned.

Respectfully submitted,

*Cody Goldthrite*  
 CODY GOLDTHRITE  
 Secretariat

