

Processes for Expedited Facility Change Petitions and Temporary Power Generator Licensing

Governor Newsom’s Emergency Proclamation, issued on July 30, 2021 to address the energy shortfall because of the declared climate emergency, orders the California Energy Commission (CEC) to develop procedures to expedite three actions. These are the required actions:

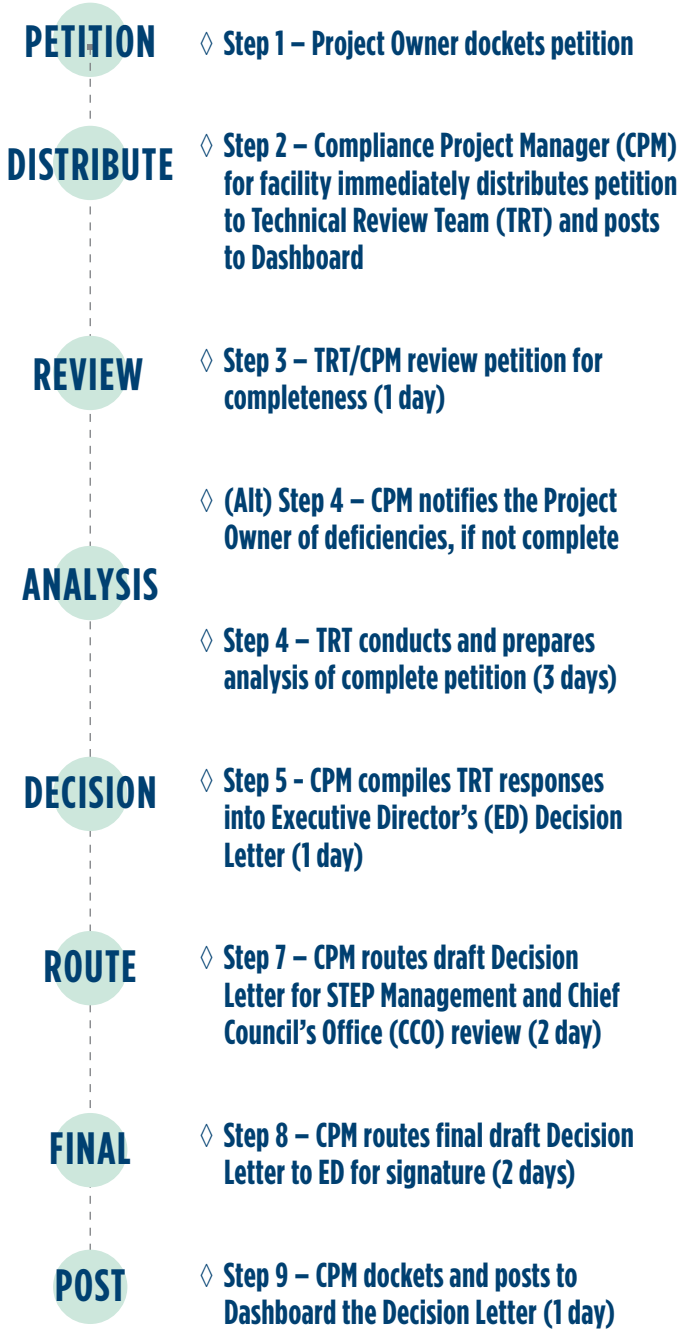
- **Post-certification petitions for changes in the design, operation, or performance requirements of existing facilities under the CEC’s jurisdiction**
- **Licenses for emergency and temporary power generators (10 MW or more)**
- **Licenses for battery storage systems of 20 MW or more that can discharge for at least two hours**

The first two are for projects that can reduce the shortfall or deliver net peak energy by October 31, 2021. The third is for projects that can deliver net peak energy by October 31, 2022. For all three actions, the proclamation suspends CEQA and the CEQA Guidelines. The proclamation directs the CEC to maintain on its website a list of all activities or approvals for which it has relied on suspensions under this proclamation (the “Dashboard”).

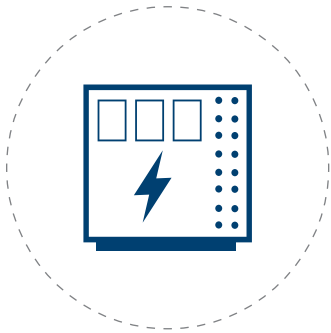
Expedited Project Change Petitions

The proclamation suspends Title 20, section 1769 of the California Code of Regulations. A CEC Order approved on August 17, 2021 provides an alternative process for facility change requests. The Order specifies the information the petition shall contain, including a detailed description of how the facility change will contribute to reducing the energy shortfall by October 31, 2021. In addition, the authority to approve such petitions is delegated to the Executive Director. The Executive Director’s decision must be made within 10 working days of receiving a complete petition and is final and not subject to appeal.

Process



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Temporary Power Generator Licensing

The proclamation expands the CEC's authority under the Public Resources Code to provide the CEC authority to establish an expedited process for approving licenses for temporary power generators of 10 MW or more that the CEC determines will deliver net peak energy before October 31, 2021. The temporary power generators must meet certain criteria set forth in the proclamation and specified in the August 17, 2021 Order and must complete and submit to the CEC a self-certification template for license applicants. Within 10 days of receiving an applicant's completed self-certification template along with appropriate documentation, the Executive Director shall file a decision on the self-certification granting or denying the license. The decision is final and not subject to appeal. Licenses are valid for up to 5 years.

Process

APPLY

◇ Step 1 – Applicant uploads completed self-certification template and associated documents

ASSIGN

◇ Step 2 – Project Manager (PM) assigns unique docket number (21-EP-G-01, -02, -03...) and posts to Dashboard

REVIEW

◇ Step 3 – PM distributes to Technical Review Team (TRT) to verify self-certification is complete and meets the criteria specified in the Order

DECISION

◇ Step 4 – TRT provides its written determination to PM (3-5 days)

ROUTE

◇ Step 5 – PM drafts Executive Director's (ED) Decision and routes for STEP Management and Chief Council's Office (CCO) review (2 days)

FINAL

◇ Step 6 – PM routes final draft Decision to ED for signature (2 days)

POST

◇ Step 7 – PM sends Decision to Applicant and posts to Dashboard