



Commissioners Present

Robert B. Weisenmiller, Chairperson  
Karen Douglas  
Carla Peterman

Staff Present:

Rob Oglesby, Executive Director  
Michael Levy, Chief Counsel  
Jennifer Jennings, Public Advisor  
Harriet Kallemeyn, Secretariat

Agenda Item

Raoul Renaud	3
Jeff Ogata, Assistant Chief Counsel	3
Eric Veerkamp	4
Craig Hoffman	5
Gareth Occhiuzzo	6
Melanie Vail	7
Gabriel Taylor	8
Adrian Ownby	9
Samuel Lerman	10
Jenny Wu	11
Reynaldo Gonzalez	12, 13
Guido Franco	14, 15
Jacob Orenberg	16
Akasha Kaur Khalsa	17
Lindsee Tanimoto	18-20
Amir Ehyai	21
Andre Freeman	22

**Also Present**

Interested Parties (\* Via WebEx)

Greggory Wheatland,	
Ellison Schneider & Harris	3
James Derby, DGS	8
Dr. Joe Norbeck, UC Riverside	12
Peter Christensen, CA ARB	18-20, 22

Public Comment

*Robert Sarvey	1
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Items	
1. CONSENT CALENDAR.	12
a. VENTYX. Possible approval of Purchase Order 11-435.01-025 for \$72,161 to renew the Energy Commission's subscription to the Ventyx Velocity Suite through March 2013. Electricity Analysis Office staff use the Energy Velocity data service to analyze energy system operations and market trends, respond to energy-related inquiries and develop model inputs regarding various aspects of the electricity systems throughout the Western grid. (ERPA Funding.) (Contact: Christopher McLean)	
b. WEST PUBLISHING CORPORATION. Possible approval of Amendment 1 to Contract 140-11-001 with West Publish Corporation, dba West, a Thomson Reuters business to add \$61,245 for fiscal year 2012/13. This contract provides Westlaw electronic legal research services for the Energy Commission legal staff. (ERPA funding.) Contact: Liz Flores	
c. CALIFORNIA REPORTING, LLC. Possible approval of Contract 180-11-001 for \$50,000 with California Reporting, LLC, for Hearing Reporter services for Energy Commission Business Meetings, hearings, and public workshops from April 12, 2012 to September 14, 2012. (ERPA funding.) (Contact: Harriet Kallemeyn.)	
d. GAS TECHNOLOGY INSTITUTE. Possible approval of Amendment 1 to Contract 500-08-051 with Gas Technology Institute to extend the term by 12 months and reallocate budget between project tasks. The amendment will allow the contractor to collect cooling season data during the summer of 2012. There is no change to the amount of the contract or the scope of work. (PIER natural gas and electricity funding.) (Contact: Golam Kibrya)	

- e. BLX GROUP, LLC. Possible approval of Contract 600-11-003 for 415,000 with BLX Group, LLC, to provide rebate arbitrage compliance services for the Energy Efficiency Master Trust Revenue Bond Series 2003A and 2005A. (ECAA bond funding.) Contact: Chris Scott
- f. CITY OF AGOURA HILLS. Possible approval of Amendment 1 to Agreement CBG-09-078 with the City of Agoura Hills for a change in the scope of work. The city's traffic signal retrofit project came in under budget. The city proposes to use the remaining funds to upgrade street lighting fixtures and illuminated street-sign lighting to more efficient systems. (EECBG funding.) Contact: Adel Suleiman.
- g. CITY OF CARMEL. Possible approval of Amendment 1 to Agreement CBG-09-121 to extend the term of the agreement to June 14, 2012. No other changes are proposed. The project is a comprehensive lighting upgrade for the city's Public Works and Police Station facilities and a high-efficiency HVAC upgrade for the Police Station. (EECBG funding.) Contact: Amir Ehyai
- h. BEVILACQUA-KNIGHT, INC. Possible approval of Amendment 1 for Agreement PIR-08-018 with Bevilacqua-Knight, Inc. for a ten-month no-cost time extension to March 31, 2013 due to the delayed start of the various home energy retrofit programs that are the source of the data for the project. (PIER electricity funding.) Contact: Jeffrey Doll.
- i. RUUD LIGHTING, INC. Possible approval of Amendment 1 to Agreement PIR-09-020 with Ruud Lighting, Inc., dba Beta Lighting, to extend the agreement for ten months to March 29, 2013 change the company name from Ruud Lighting, Inc. dba Beta Lighting to BetaLED by Cree, Inc. due to an acquisition, and reallocate funds between project tasks to demonstrate energy efficient street lighting technology in three major cities. The funding amount remains the same. (PIER electricity funding.) Contact: Dustin Davis.

## Items

- |    |   |          |
|----|---|----------|
| 2. | ENERGY COMMISSION COMMITTEE APPOINTMENTS.<br>Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker   | Deferred |
| 3. | WATSON COGENERATION STEAM AND ELECTRIC RELIABILITY PROJECT (09-AFC-1). Possible approval of the Presiding Member's Proposed Decision for Watson Cogeneration Project, and possible errata. The proposed project will add a nominal 85 megawatt combustion turbine generator with a single-pressure heat recovery steam generator to provide additional process steam to the BP Carson refinery. The project site is a 2.5-acre brown field site located within the boundary of the existing Watson Cogeneration Facility at the Carson Refinery (BP Refinery) in the city of Carson, Los Angeles County. Contact: Raoul Renaud.       | 12       |
| 4. | SUNRISE POWER (98-AFC-4C). Possible approval Sunrise Power Project's petition to eliminate an obsolete Air Quality condition from its Conditions of Certification. Due to State of California rule changes approved by the San Joaquin Valley Air Pollution Control District, the definition of a Thermal Stabilization Period was deleted and definitions for startup and shutdown periods were added. If approved, the modification would also reestablish consistency between the Energy Commission Conditions of Certification and San Joaquin Valley Air Pollution Control District's Permit to Operate. Contact: Eric Veerkamp. | 17       |
| 5. | PROPOSED EXTENSION OF OPERATIONAL LICENSE FOR 2001 EMERGENCY PEAKER PROJECTS. Possible adoption of an order affirming the extension of the certification for eight emergency peaker facilities licensed in 2001: Wildflower Energy-Larkspur (01-EPC-1C), Wildflower Energy-Indigo (01-EP-2C), Alliance Colton-Century (01-EP-4C), Alliance Colton-Drews (01-EP-5C), Calpine-King City (01-EP-6C), Calpine-Gilroy (01-EP-8C), CalPeak Power-Enterprise (01-EP-10C), and CalPeak Power-Border (01-EP-14C). Contact: Craig Hoffman   | 20       |

## Items

6. SUN SIERRA SOFTWARE, INC. Possible approval of Purchase Order 11-409.00-010 for \$350,000 to Sun Sierra Software, Inc. for programming services to implement an upgrade and expansion of Energy Consumption Data Management System for the Quarterly Fuel and Energy Report. (ERPA funding.) Contact: Gareth Occhiuzzo. 31
7. UNIVERSITY ENTERPRISES, INC. Possible approval of Contract 200-11-014 for \$5 million with University Enterprises, Inc. to provide student resources to the Energy Commission to meet peak workload demands in a variety of program areas. If approved, this contract adds \$500,000 in spending authority for fiscal year 2011/13 and \$900,000 each succeeding year until its June 30, 2017 expiration date. (ERPA funding.) Contact: Melanie Vail. 32
8. DEPARTMENT OF GENERAL SERVICES. In compliance with Public Resources Code 15471(d), possible approval of Amendment 2 to Interagency Agreement 400-09-005 with the Department of General Services to allow the Commission to transfer up to \$50 million in total, into the Energy Efficient State Property Revolving Fund from money received by the Commission under the American Recovery and Reinvestment Act of 2009 to be used for the purposes of the Federal State Energy Program. This amendment will also extend the term of of the agreement for five years to April 30, 2017. (ARRA-SEP funding.) Contact: Gabriel Taylor 36
9. CRHMFA HOMEBUYERS FUND. Possible approval of Amendment 4 to Contract 400-09-016 with CRHMFA Homebuyers Fund (CHF) to add an additional \$5 million in spending authority for the Moderate Income Sustainable Technology (MIST) program, contingent on funding availability and program performance. The MIST program provides grants and low interest loans for home energy efficiency and renewable energy upgrades for moderate income homeowners in CHF member and associate member counties and cities through a revolving loan fund. (ARRA funding.) Contact: Adrian Ownby. 39

10. COUNTY OF LOS ANGELES INTERNAL SERVICES DEPARTMENT. 42  
Possible approval of Amendment 4 to Contract 400-09-024 with the County of Los Angeles Internal Services Department to add up to \$5 million in spending authority for the Retrofit LA program, contingent upon the availability of funds and program performance. The program provides innovative financing options for energy efficiency upgrades, such as Public Agency Building Revolving Loan Funds, Public Agency Building Loan Loss Reserve Financing, Residential Loan Loss Reserve Financing, Residential Interest Rate Buy Down Reserve Financing, Residential and Non-Residential PACE Loan Loss Reserve Financing, HERS Rating and Audit Incentives tied to financing, and Contractor Scholarship Revolving Loan Funds. (ARRA funding.) Contact: Samuel Lerman.
11. CITY OF FRESNO. Possible approval of Amendment 2 to 45  
Contract 400-09-032 with the City of Fresno Sustainable Fresno Division to add \$500,000 in spending authority to the Fresno Regional Comprehensive Residential Retrofit Program. The Funds will support existing program activities and further program coverage in the San Joaquin area to include Madera County. The program promotes residential retrofit projects in Fresno, Kern, Kings, and Tulare Counties by offering energy efficiency rating services to homeowners, training for contractors, and public education on the whole-house approach to energy efficiency to consumers and program partners. (ARRA funding.) Contact: David Effross.
12. UNIVERSITY OF CALIFORNIA, RIVERSIDE. Possible approval of Contract 500-11-014 for \$1,400.536 with the Regents of the University of California on behalf of the Riverside campus to investigate improved renewable natural gas production by steam hydro-gasification with carbon capture. (PIER natural gas funding.) Contact: David Effross.

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13. UNIVERSITY OF CALIFORNIA, RIVERSIDE. Possible approval of Contract 500-11-015 for \$1.2 million with the Regents of the University of California on behalf of the Riverside campus to ensure compatibility of new renewable natural gas and other alternative fuels with existing transportation fuels infrastructure. (PIER natural gas funding.) Contact: David Effross.	50
14. LAWRENCE BERKELEY NATIONAL LABORATORY. Possible approval of Amendment 1 to Contract 500-09-042 with the Department of Energy, Lawrence Berkeley National Laboratory, to add \$1 million and extend the contract 12 months to March 31, 2016. The project is intended to improve energy efficiency and indoor air quality in California homes with gas appliances through research to develop methods to reduce indoor air pollution from combustion products. (PIER natural gas funding.) Contact: Guido Franco.	53
15. UNIVERSITY OF CALIFORNIA, BERKELEY. Possible approval of Contract 500-11-016 for \$425,000 with the Regents of the University of California on behalf of the Berkeley campus to conduct an in-depth analysis of the vulnerability of natural gas pipelines and other natural gas infrastructures in the San Francisco Bay and Delta areas to sea water intrusion and to explore the vulnerability of pipelines in the rest of the state. (PIER natural gas funding.) Contact: Guido Franco.	55
16. CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY. Possible approval of Amendment 3 to Contract 600-09-011 with the Business, Transportation and Housing Agency (BTH) to extend the agreement by 14 months to June 30, 2013 and add up to \$170,000 to provide financial expertise and services for the Clean Energy Business Financing Program. (ERPA funding.) Contact: Jacob Orenberg.	58

17. TAFT CITY SCHOOL DISTRICT. Possible approval of Agreement 002-11-ECF for a loan of \$1,807,443 to the Taft City School District to install ten solar photovoltaic projects totaling 680 kilowatts alternating current, and install energy efficient lighting controls, interior and exterior lighting, and vending machine controllers at six schools and the school district office. The upgrades will save the school district about 1.2 million kilowatt-hours of electricity and reduce greenhouse gas emissions by 418 tons annually. Based on the loan amount, the simple payback is approximately 11 years. (ECAA program funding.) Contact: Akasha Kaur Khalsa 61
18. BAY AREA AIR QUALITY MANAGEMENT DISTRICT. Possible approval of Agreement ARV-11-003 for a grant of \$200,000 to the Bay Area Air Quality Management District to produce a comprehensive plug-in electric vehicle readiness plan for the Monterey Bay Area region to support the mass adoption of electric vehicles over the next ten years. (ARFVTP funding.) Contact: Lindsee Tanimoto. 63
19. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS. Possible approval of Agreement ARV-11-007 for a grant of \$200,000 to the Southern California Association of Governments to produce a comprehensive plug-in (PEV) readiness plan, including two sub-regional plans for the Southern California Association of Governments' six-county region. The plan will support the mass adoption of electric vehicles by developing plans for PEV infrastructure deployment, among other activities. (ARFVTP funding.) Contact: Lindsee Tanimoto. 63
20. COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS. Possible approval of Agreement ARV-11-011 for a grant of \$200,000 to the Coachella Valley Association of Governments to produce a comprehensive plug-in electric vehicle readiness plan for the Coachella Valley region to support the mass adoption of electric vehicles over the next ten years. (ARFVTP funding.) Contact: Lindsee Tanimoto. 63

21. PHASE II ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) - Possible approval of nine block grants to small cities and counties for energy efficiency projects. Currently, \$0 are available under the Phase II EECBG program for these nine projects. However, as funds become available they will be allocated to these Phase II grants on a first-come, first-served basis based on the order the grant application was received. (ARRA funded.) Contact: Amir Ehyai. 70
- a. CITY OF BIG BEAR LAKE.
  - b. CITY OF SHASTA LAKE
  - c. CITY OF ALTURAS
  - d. CITY OF FOSTER CITY
  - e. CITY OF DEL MAR
  - f. CITY OF LAGUNA BEACH
  - g. CITY OF MENLO PARK
  - h. COUNTY OF SANTA CLARA
  - i. CITY OF DIXON
22. ALTERNATIVE AND RENEWABLE FUEL AND VEHICLE TECHNOLOGY BUY-DOWN INCENTIVE RESERVATIONS. Possible approval of a total of \$2,604,000 in vehicle buy-down incentive reservations. (ARFVT funding.) Contact: Andre Freeman 73
- a. TOM'S TRUCK CENTER (OEM - Isuzu Commercial Truck of America, Inc.)
  - b. NATIONS BUS CORPORATION (OEM - Krystal Enterprises)
  - c. NATIONS BUS CORPORATION (OEM - Champion Bus, Inc.)
  - d. DAIMLER TRUCKS NORTH AMERICA LLC

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e. WEST COAST BUS SALES, INC. (OEM - Tiffany Coachworks Corporation)	
f. WEST COAST BUS SALES, INC. (OEM - Federal Coach Corporation)	
23. Minutes:	77
a. Possible approval of the March 14, 2012 Business Meeting Minutes.	
b. Possible approval of the March 28, 2012 Business Meeting Minutes.	
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26. 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.	
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P R O C E E D I N G S

APRIL 11, 2012 10:00 a.m.

CHAIRPERSON WEISENMILLER: Good morning. Let's start the Business Meeting with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited in unison.)

CHAIRPERSON WEISENMILLER: Good morning. In terms of the agenda today we're going to hold Item 2, but the rest of the items we will deal with.

So, the first item, Consent Calendar.

COMMISSIONER DOUGLAS: Move the Consent Calendar.

COMMISSIONER PETERMAN: I second.

CHAIRPERSON WEISENMILLER: All those in favor?

(Ayes)

CHAIRPERSON WEISENMILLER: Consent Calendar passes unanimously.

And again, as I indicated, we're moving past two and so we'll now take up Item Number 3, which is Watson Cogeneration Steam and Electric Reliability Project, 09-AFC-1.

MR. RENAUD: Good morning Chair Weisenmiller, Commissioners Douglas and Peterman. This is the Watson Cogeneration Steam and Electric Reliability Project, Docket No. 09-AFC-01.

Watson Cogeneration Company currently operates a

1 385-megawatt cogeneration facility that's located within  
2 the British Petroleum or BP Carson Refinery in the City of  
3 Carson, in Los Angeles County.

4 The Commission licensed that facility in 1986 and  
5 it's been operational since 1988.

6 The project before you is to add a fifth power  
7 train to the existing four power trains. This would add an  
8 additional 85-megawatt General Electric 70-A combustion  
9 turbine generator and the primary function of it is to  
10 provide additional steam and power to the refinery.

11 The construction is expected to take  
12 approximately 26 months.

13 The AFC was filed on March 19, 2009 and on July  
14 29, 2009 it was deemed acceptable and the licensing process  
15 proceeded.

16 A site visit was conducted on September 3<sup>rd</sup>, 2009,  
17 followed by an informational hearing.

18 The PSA was published on December 17, 2010 and  
19 the FSA was published on August 31<sup>st</sup>, 2011.

20 We held a pre-hearing conference on October 17,  
21 2011 and an evidentiary hearing on November 1, 2011, and  
22 published the PMPE on February 15, 2012.

23 During the 30-day public comment period we  
24 received comments from the staff and the applicant. Those  
25 were considered at a committee conference, which was held

1 on March 20, and an errata taking into account those  
2 comments was published on April 3<sup>rd</sup>. I believe you have  
3 those documents before you.

4 At the committee conference Commissioner  
5 Peterman, who is the Presiding Member of this committee,  
6 voiced concern over the fact that although this project is  
7 within an area that is zoned heavy industrial, within a  
8 mile are a number of sensitive receptors, and wished to  
9 emphasize the importance of strict compliance with the air  
10 quality conditions and certification particularly related  
11 to dust, fugitive dust control during construction.

12 And applicant acknowledged that concern. And  
13 we've also included in the errata and will be included in  
14 the final decision, a prefatory comment to the air quality  
15 conditions, just reemphasizing the importance of strict  
16 compliance with those conditions.

17 So before you for vote is the PMPD and the  
18 errata. If you have any questions for me, I will be happy  
19 to try to answer them. And we do have representatives from  
20 the applicant and staff here, as well.

21 CHAIRPERSON WEISENMILLER: Okay. Let's hear from  
22 the applicant and then the staff.

23 MR. WHEATLAND: Good morning, I'm Gregg Wheatland  
24 and the applicant would like to thank the Commission for  
25 its consideration of this item this morning.

1           We'd also like to thank the Commission staff and  
2 the committee for its hard work and diligence in bringing  
3 this matter before you today.

4           We're here to answer any questions that you may  
5 have.

6           CHAIRPERSON WEISENMILLER: Staff.

7           ASSISTANT CHIEF COUNSEL OGATA: Thank you, Chair  
8 Weisenmiller. Can you hear me, now?

9           Okay. Good morning, Jeff Ogata, Assistant Chief  
10 Counsel, I'm acting as staff counsel on this project. We  
11 have no comments on the errata or the decision. As I said  
12 at the committee hearing, though, I would like to actually  
13 thank the applicant on the water issue, we pushed them very  
14 hard on that issue. What the applicant ended up agreeing  
15 to was taking a limit on the use of fresh water for which  
16 they were using for the four trains, they will take that  
17 same amount as a limit for all five trains. So, they're  
18 going to reduce their consumption of fresh water and any  
19 water that they need in addition to that, they will be  
20 using recycled water.

21           So, that was an issue of importance to staff and  
22 we had quite a bit of discussion and negotiation over that,  
23 and we'd like to thank the applicant for sort of agreeing  
24 to what staff recommended for that.

25           And other than that, I think everything else went

15

1 really fine. So, we do appreciate the applicant's work on  
2 this project.

3 CHAIRPERSON WEISENMILLER: Okay, are there any  
4 interveners who want to comment at this time?

5 Any public comment?

6 Commissioners, comments or questions?

7 COMMISSIONER PETERMAN: Thank you. I think,  
8 Hearing Officer Renaud, you summarized the project well. I  
9 also appreciate you drawing attention, again, to the  
10 concerns I raised about air quality. I think that the air  
11 quality conditions for certification are sufficient to  
12 minimize significant risk, but I did draw applicant's  
13 attention and the staff's attention to the number of  
14 sensitive receptors in the area.

15 And so if there's no other additional comments by  
16 my fellow Commissioners --

17 COMMISSIONER DOUGLAS: I just wanted to thank  
18 staff and the applicant for their hard work and persistence  
19 over the course of this proceeding.

20 CHAIRPERSON WEISENMILLER: And I wanted to note  
21 that, obviously, the Governor's been a strong proponent of  
22 cogeneration for decades and so, certainly, we're gratified  
23 to see additional cogeneration megawatts coming online.

24 COMMISSIONER PETERMAN: So, no other comment, I  
25 will move Item 3.

1 COMMISSIONER DOUGLAS: Second.

2 CHAIRPERSON WEISENMILLER: All those in favor?

3 (Ayes)

4 CHAIRPERSON WEISENMILLER: Item 3 passes

5 unanimately. Thank you.

6 Let's go on to Item Number 4, which is Sunrise

7 Power, 98-AFC-4C, possible approval of Sunrise Power

8 Project's petition to eliminate an obsolete air quality

9 condition from its conditions of certification.

10 Eric Veerkamp?

11 MR. VEERKAMP: Thank you, Jeff. My name is Eric

12 Veerkamp and I'm the Compliance Project Manager for the

13 Sunrise Power Project.

14 We also have Gerry Bemis here this morning

15 representing our air quality staff. And I know that Daniel

16 Beck is here representing the project owner, he's a

17 supervisor with Sunrise Power.

18 Sunrise Power is an operating combined cycle

19 electric generating facility, with a total nominal output

20 of 585 megawatts, located approximately 35 miles southwest

21 of the City of Bakersfield, in Kern County.

22 The project was certified by the Energy

23 Commission in December of 2000 and began operating

24 commercially on June 27<sup>th</sup>, of 2001.

25 On August 13, 2010 Sunrise Power filed a petition

17

1 with the Energy Commission to amend the Commission final  
2 decision for air quality conditions, specifically to remove  
3 AQ-49.

4 Sunrise was requesting eliminating AQ-49 because  
5 it was no longer applicable due to a State implementation  
6 planned rule change.

7 Then, in response to staff's request, a  
8 subsequent petition was filed on November 17<sup>th</sup>, of 2010 to  
9 not only eliminate AQ-49, but also to eliminate AQ-26 and  
10 to modify AQ-10 and AQ-59.

11 Staff would also be incorporating additional  
12 conditions from the permit to operate that were included by  
13 the San Joaquin Valley Air Pollution Control District for  
14 this petition.

15 The new COCs, then, are AQ-68 through AQ-65 and I  
16 think the most important thing to remember is that taken  
17 together, the project emission rates and emissions are not  
18 changing.

19 In August of 2006 the San Joaquin Valley Air  
20 Pollution Control District proposed and subsequently  
21 approved changes to SIP Rule 4703. As a result, the  
22 definition for thermal stabilization period was deleted and  
23 definitions for startup and shutdown periods were added.

24 Then after Sunrise received a notice of  
25 violation, they petitioned the Commission to remove the

1 language.

2 And in accordance with the rule change, the  
3 proposed modification would define and limit the duration  
4 of startup and shutdown events by type of event, cold, warm  
5 and hot startups.

6 These timeframes, along with the worst case  
7 startup and shutdown emissions, hourly emissions, daily  
8 emissions, and annual emissions were used to analyze worst  
9 case impacts and ensure that there would be no significant  
10 adverse impacts.

11 Energy Commission staff has reviewed the petition  
12 to amend and have assessed impacts on environmental  
13 quality, public health and safety, and finds that the  
14 changes would not result in an increase in emissions, and  
15 there is no need for additional offsets.

16 Therefore, staff recommends approval of all  
17 changes, which will also ensure consistency between our  
18 conditions and the latest permit to operate issued by San  
19 Joaquin Valley Air Pollution Control.

20 Now, procedurally the staff analysis, which was  
21 dated January 19<sup>th</sup>, of 2012, was docketed and posted to our  
22 website on January 23, 2012. The public review period  
23 expired on February 23<sup>rd</sup>, 2012, and we have not received any  
24 comments from the public.

25 That concludes my presentation, I'd be happy to

1 try and answer questions. And as I said, we have Air  
2 Quality staff here and a representative from the owner.

3 CHAIRPERSON WEISENMILLER: Thank you.

4 COMMISSIONER DOUGLAS: Commissioners, I was  
5 pretty, very thoroughly briefed on this item and I agree  
6 that, first of all, these changes don't change the  
7 emissions from the project.

8 And secondly, of course, we've not seen any  
9 public concern or comment with regard to these amendments.  
10 So, if there are no -- let's see if there's any questions  
11 or comments?

12 If there are no questions and no comment on the  
13 item, then I move Item 4.

14 COMMISSIONER PETERMAN: I'll second.

15 CHAIRPERSON WEISENMILLER: All those in favor?

16 (Ayes)

17 CHAIRPERSON WEISENMILLER: Item 4 passes  
18 unanimously. Thank you.

19 Item 5; proposed extension of operating license  
20 for a 2001 Emergency Peaker Projects.

21 Craig Hoffman, do you want to describe this?

22 MR. HOFFMAN: Good morning, Commissioners. My  
23 name, again, is Craig Hoffman, I'm the Compliance Project  
24 Manager on the extension of the operational license for the  
25 2001 Emergency Peaker Projects.

1           With me this morning is Jeff Ogata, Assistant  
2 Chief Counsel.

3           On this item, staff is requesting that the Energy  
4 Commission adopt an order extending the certification and  
5 license for the eight Emergency Peaker Projects licensed  
6 and constructed in 2001.

7           A little background on this item, in January of  
8 2001 then Governor Grey Davis proclaimed a state of  
9 emergency due to constraints on electricity supplies in  
10 California. The Governor declared that all reasonable  
11 conservation, allocation and service restriction measures  
12 would not alleviate an energy supply emergency.

13           As a result, the Governor issued Executive Orders  
14 to expedite the permitting of peaking and renewable power  
15 plants that could be online by September 30<sup>th</sup>, of 2001.

16           The Governor also declared that these projects  
17 would be exempt from the California Environmental Quality  
18 Act as projects under Public Resources Code 21-08-0.

19           As a result of the Governor's actions, the Energy  
20 Commission initiated a 21-day licensing process that  
21 included a detailed fatal flaw analysis by staff, site  
22 visits, informational hearings, and a notice of decision.

23           Between March and June of 2001, 15 applications  
24 under the Emergency Peaker Provisions were submitted. Of  
25 those applications four were withdrawn, two were permitted,

1 but never built and, ultimately, nine power plants were  
2 constructed, with one, the Hanford Energy Park ultimately  
3 converting to a combined cycle facility.

4           The eight projects that are the subject of this  
5 action item were built consistent with the Commission  
6 decision licenses and came online in the third and fourth  
7 quarters of 2001. These power plants have been in  
8 operation for the past ten years and are seeking to extend  
9 their certification and license.

10           I want to explain a little bit about what took  
11 place with the site selection. Although it sounds like it  
12 was a quick process, it was very thoroughly reviewed by  
13 staff. These sites are a little bit different than the  
14 typical project we received in that in order to come online  
15 so quick, they were close to existing infrastructure, close  
16 to energy transmission facilities, close to water sources,  
17 close to natural gas lines. Many of them were on pre-  
18 disturbed areas. They did not have the impacts to  
19 biological resources, cultural resources. And on top of  
20 that, they still had to comply with air emission  
21 reductions.

22           These projects still have between 50 and 65  
23 conditions of certification on them.

24           The original power purchase agreement with the  
25 Department of Water Resources was for ten years and the

1 license allowed for the project to operate -- sorry, the  
2 project operators were allowed to request an extension of  
3 the license for the life of the projects at the end of the  
4 agreements.

5           And so, staff has spent the last eight months  
6 working with the operators to bring this item before you.

7           The Energy Commission decisions for the Emergency  
8 Peaker Projects included a provision that would allow,  
9 again, the extension, provided that all the conditions of  
10 certification were current, the project was in compliance  
11 with all conditions of certification, the project was  
12 permanent and air emission credits were in place.

13           I want to describe these eight projects, just by  
14 location, for you.

15           The eight projects total include -- include a  
16 total of 588 megawatts. Three of the project sites are in  
17 San Diego County and are 188-megawatts in size.

18           Three would be located relatively close to the  
19 L.A. Basin and, combined, 215 megawatts, for a total of 403  
20 megawatts in Southern California.

21           Staff has spent the past eight months working  
22 with the Peaker Project operators to verify that the power  
23 plants are being operated in compliance with the conditions  
24 of certification and confirmed that the six extension  
25 criteria have been satisfied and are current.

1           Staff conducted site visits to each facility to  
2 visually verify that the projects were constructed  
3 consistent with our conditions of certification and are  
4 operating consistent with the approved certification.

5           There are no known violations and staff has no  
6 outstanding concerns with the eight Peaker Projects.

7           Based upon staff review of the projects, staff is  
8 requesting that the Energy Commission adopt an order to  
9 extend the certifications of these eight projects until  
10 they cease operation and commence permanent closure  
11 activities.

12           In discussing what the life of the project -- the  
13 eight projects would be, a typical peaker power plant is  
14 about 30 years. They've been in operation for ten years,  
15 they probably have a life expectancy of about another 20 to  
16 25 years.

17           And these projects, if extended the license,  
18 would be required to continue to operate consistent with  
19 the conditions of certification.

20           On February 23<sup>rd</sup>, a notice of proposed extension  
21 for these projects was mailed, and posted to the web, to  
22 interested parties and property owners adjacent to the  
23 project sites. And the staff analysis was also posted to  
24 the web for a 30-day comment period. To date, no comments  
25 have been provided.

1           And the Business Meeting agenda was also mailed  
2 to the notification list for the eight projects.

3           That concludes staff's presentation. If there's  
4 any questions that we might be able to answer, as well as  
5 there are representatives from the applicants here as well.

6           CHAIRPERSON WEISENMILLER: Okay, I believe --  
7 first, are there any comments -- questions or comments for  
8 anyone in the room?

9           I believe Mr. Sarvey's on the line and would like  
10 to comment on this issue.

11           MR. SARVEY: Thank you, Commissioner. I really  
12 can't express how much this item disgusts me. Each and  
13 every one of these Peaker Projects was exempt from CEQA by  
14 fraud. Each and every one of these decisions for these  
15 Peakers begins with the finding that there is an energy  
16 supply emergency in California.

17           We know that this so-called energy crisis was  
18 manipulation and the State has spent countless hours and  
19 resources trying to recover the money that was stolen from  
20 the ratepayers in ELO-95 at the FERC.

21           These projects were placed in communities with  
22 little regard to the impacts of the facilities and no  
23 mitigation for the affected communities.

24           For example, the Larkspur facility's public  
25 notice of hearing was placed in the Daily Transcript, a

1 trade paper for attorneys. This does not constitute proper  
2 public notice of any project, in any venue.

3 In the Larkspur case, the community was concerned  
4 about the proliferation of power plants. The applicant was  
5 asked to provide a cumulative analysis and the applicant  
6 replied the project is exempt from CEQA, no cumulative  
7 analysis was performed.

8 In Larkspur, improper census data was utilized in  
9 the staff assessment and a minority community was not  
10 identified until the day before the decision.

11 Each of these Emergency Peaker decisions is about  
12 20 pages. Hell, my tax return's longer than that. And I'm  
13 not suggesting these peakers be shut down, especially in  
14 light of the San Onofre Nuclear Plant shutdown.

15 What I am suggesting is this Commission now  
16 provide notice and mitigation to these affected  
17 communities.

18 And that raises a question to me, today, were  
19 public notices provided to these communities about today's  
20 decision? I think they should be before the decision is  
21 made.

22 I also believe the projects can and should meet  
23 current back requirements, not those in place in 2001.

24 And I want to note that the Wildfire-Indigo  
25 project has been out of compliance with its air permit

1 eight out of the last 12 quarters and has been fined  
2 \$173,000 for violations of its air permit.

3 So, I challenge staff's findings on compliance.

4 And in closing, I just would like to say that  
5 these things should be publicly noticed, the CEQA issues  
6 that were ignored in the previous determination should be  
7 taken a look at and mitigation should be provided to these  
8 affected communities.

9 And I thank you for the opportunity to comment.

10 CHAIRPERSON WEISENMILLER: Thank you. Staff, do  
11 you have any comments on the notice issue or any of the  
12 other comments?

13 MR. HOFFMAN: Okay, just to restate, in regard to  
14 the public noticing that's taken place, it was mailed out.  
15 Again, staff's -- staff's review was noticed on February  
16 23<sup>rd</sup>. It went to the mailing list for each of the eight  
17 projects, which included POS at the time, the agency mail  
18 list, as well as an updated list of property owners within  
19 the specified boundaries of the project.

20 So, notification was provided about this hearing.

21 In regard to past practices, these projects did  
22 have conditions of certification on them and did require  
23 mitigation. Their permits are valid, staff did take a  
24 review of those.

25 And if there's any other questions --

1           CHAIRPERSON WEISENMILLER: Thank you. I was  
2 going to make the observation, obviously these were  
3 permitted in extraordinary times. As Mr. Sarvey said,  
4 there was certainly -- we spent years digging into  
5 precisely why we got into those extraordinary straits.

6           But also, as he noted today, San Onofre is down.  
7 And I met with the chair of the NRC last Friday, we  
8 discussed that. I encouraged the chair, safety first, that  
9 we will deal with the supply and demand situation, but it's  
10 critical the NRC deal with the safety issues, it's their  
11 primary mission.

12           Given that, we need every megawatt we can find in  
13 San Diego and that we simply cannot put 188 megawatts aside  
14 for the summer, we just can't.

15           And so I think, Commissioners, we -- if San  
16 Onofre Two comes back online, which it might June 1<sup>st</sup>, if  
17 everything goes exactly right, which I don't expect, and  
18 potentially San Onofre Three could be back in two or three  
19 weeks from then, if everything goes exactly right, but I  
20 don't think that will happen.

21           And in that context, we have to do a worst case  
22 assessment and if we don't have these 188 megawatts we have  
23 to scramble -- you know, probably would have to go to the  
24 Governor to have a similar emergency order to put  
25 additional megawatts down in San Diego.

1           So I think in terms of this context we have  
2 little choice but to move forward today.

3           COMMISSIONER DOUGLAS: I support those statements  
4 and I will also note that staff did a really thorough  
5 review of these projects. And when this issue came to my  
6 attention, that the Emergency Peakers were up for  
7 extension, essentially, I also had a lot of questions about  
8 their history of compliance with our conditions, about has  
9 staff every gone on site visits to some of these peakers to  
10 really get a real-world sense of how they're operating.  
11 What kinds of conditions did we place on these peakers and  
12 how do they compare to the sorts of conditions that we put  
13 on power plants that go through the longer process that we  
14 have in place today?

15           And I was satisfied that these plants are  
16 operating within their conditions and that the review that  
17 took place, while accelerated, was pretty good under the  
18 circumstances. And while the short siting process makes it  
19 difficult to do as thorough a review as we do today, at the  
20 same time, as staff has pointed out, these projects were  
21 proposed in sites with existing infrastructure, and  
22 compatible zoning, and generally brown field sites. So,  
23 the review was not as complex as some of the projects that  
24 come before us today.

25           So, I also support moving forward on this item.

1                   COMMISSIONER PETERMAN:   Commissioner Douglas,  
2   thank you for your review of this issue and having looked  
3   into it more in-depthly.   And also, staff, thank you for  
4   your response to Mr. Sarvey's points.

5                   Mr. Sarvey, thank you for your comments, I  
6   appreciated them, especially not being on the Commission at  
7   the time and hearing your perspective.

8                   Although I believe that staff has down their  
9   homework to check about the air quality standing of these  
10   different projects, I would appreciate you following up  
11   with Mr. Sarvey on the particular plant he mentioned, with  
12   eight out of 12, I think, quarters of violations.   Perhaps,  
13   just a timing issue, but providing him with the most up-to-  
14   date information on that facility and just reconciling his  
15   comment with your review.

16                  That being said, I do think that these plants are  
17   necessary, especially at this time when we're possibly  
18   facing some shortages in the State.   And so I'm also in  
19   support of moving forward, but making sure that these  
20   plants do operate under the conditions of certification.

21                  COMMISSIONER DOUGLAS:   So I move approval of Item  
22   5.

23                  COMMISSIONER PETERMAN:   I will second.

24                  CHAIRPERSON WEISENMILLER:   All those in favor?

25                  (Ayes)

1 CHAIRPERSON WEISENMILLER: This item passed  
2 unanimately. Thanks Craig.

3 Item 6, Sun Sierra Software, possible approval of  
4 purchase order 11-409.00-10 for \$350,000, these are ERPA  
5 fundings.

6 Gareth Occhiuzzo, do you want to discuss this?

7 MR. OCCHIUIZZO: Yes. Good morning,  
8 Commissioners, I am Gary Occhiuzzo with the Electricity  
9 Supply Analysis Division.

10 Staff is requesting approval of an ITSB  
11 competitively bid CMAS agreement for \$350,000 awarded to  
12 Sun Sierra Software for programming services to implement  
13 state one of a three-state computer automation upgrade to  
14 the Quarterly Fuel and Energy Reports Database, known as  
15 the Energy Consumption Data Management System.

16 Based on staff's Feasibility Study Report that  
17 was approved by the California Technology Agency and  
18 reviewed by the Legislative Analyst's Office, stage one  
19 automation of this database offers significant labor  
20 savings that would be reinvested to substantially QFER's  
21 energy consumption data quality through more timely and  
22 frequent QFER staff interactions with utility personnel who  
23 prepare the QFER data.

24 Remediation of untimely, incomplete and  
25 inaccurate utility reporting of QFER consumption data will

1 increase accuracy and transparency of the electricity and  
2 natural gas energy demand forecasts for the IEPR.

3 Approval of this item will permit contract  
4 startup by April 30, 2012, software implementation by June  
5 2013, and completion of documentation, training and final  
6 revisions by late December 2013.

7 Thank you and I'll be happy to answer any  
8 questions.

9 CHAIRPERSON WEISENMILLER: Thank you.  
10 Commissioners, any questions or comments?

11 COMMISSIONER DOUGLAS: No. No questions or  
12 comments. This looks like a good program to me or a good  
13 improvement to me, so I'll move Item 6.

14 COMMISSIONER PETERMAN: I'll second.

15 CHAIRPERSON WEISENMILLER: All those in favor?  
16 (Ayes)

17 CHAIRPERSON WEISENMILLER: Thank you. This  
18 item's approved unanimously.

19 Item 7, University Enterprises, Inc., possible  
20 approval of contract 200-11-014 for \$5 million with  
21 University Enterprises, Inc. And this is ERPA funding.  
22 And Melanie Vail.

23 MS. VAIL: Good morning, Chairman and  
24 Commissioners, I'm Melanie Vail from the -- I'm Melanie  
25 Vail from the Energy Commission's Budget Office, and with

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1 me is Kyle Emigh, our Budget Officer.

2 I'm here this morning to request your approval  
3 for a new student contract with University Enterprises,  
4 Inc.

5 The student contract has been an extremely  
6 valuable resource in helping the Energy Commission to meet  
7 workload demands in a variety of program areas.

8 For example, the existing student contract has  
9 provided resources to complete and close out the Cash-For-  
10 Appliances Rebate Program.

11 The Energy Commission has utilized more than 30  
12 students, whose responsibilities over the course of the  
13 rebate program were instrumental in the evaluation and  
14 auditing of applications and solving inquiries from  
15 thousands of customers and contractors via the Energy  
16 Commission's call center and e-mail.

17 Without the students, the Energy Commission would  
18 not have been able to audit and complete more than 78,000  
19 files that were originally rejected by the rebate  
20 processor.

21 Additionally, the student contract has been used  
22 as a recruitment tool, where numerous former students have  
23 been hired upon graduation.

24 The experience gained through working as a  
25 student has opened many career pathways in the energy

1 field.

2           If approved, this contract will provide \$5  
3 million in authority, only, \$500,000 in spending authority  
4 for this current fiscal year and \$900,000 in spending  
5 authority for each succeeding fiscal year until its June  
6 30<sup>th</sup>, 2017 expiration date.

7           The student contract is utilized Commission wide,  
8 providing student support for all divisions and small  
9 offices.

10           All future funding allocations to this contract  
11 will go through the Energy Commission's standard internal  
12 approval processes, such as work plans, resource allocation  
13 and mid-year review.

14           Thank you and I'm happy to answer any questions  
15 you may have.

16           CHAIRPERSON WEISENMILLER: Okay, Commissioners,  
17 any questions or comments?

18           COMMISSIONER DOUGLAS: Just a brief comment.  
19 I've seen firsthand how valuable this contract has been.  
20 First of all, it's really great to get students into the  
21 Commission and having -- getting experience working with  
22 the Commission. And I personally know people who have had  
23 the opportunity to work here as students and then gone on  
24 to either work here or have careers with other State  
25 agencies, and so it's a really good opportunity for

1 students.

2 But also, as was referenced, this -- the students  
3 who work with us provided absolutely essential support to  
4 the Cash-For-Appliances Program which we closed out  
5 recently, after tremendous and exhaustive effort by the  
6 students. Just a really great team effort with the  
7 students working with our staff and we succeeded in closing  
8 out that program and spending every penny of the money  
9 allocated to us.

10 So, it was a tremendous success, but there was a  
11 lot of work behind the scenes, and a lot of that work was  
12 done by students coming in under this contract.

13 And so I strongly support this contract, I think  
14 it's a real value to the Commission.

15 COMMISSIONER PETERMAN: I'll just also add that I  
16 got my first stint in public service working as a student  
17 in a commission, and that inspired me to want to get this  
18 job, and so I wholeheartedly support Commissioner Douglas's  
19 comments and happy to support this contract.

20 COMMISSIONER DOUGLAS: Move Item 7.

21 COMMISSIONER PETERMAN: I'll second.

22 CHAIRPERSON WEISENMILLER: All those in favor?

23 (Ayes)

24 CHAIRPERSON WEISENMILLER: Item 7 is approved  
25 unanimously. Thanks again.

1           Item 8; Department of General Services, in  
2 compliance with PRC Code 25471(d), this is a possible  
3 approval of Amendment 2 to Interagency Agreement 400-9-005,  
4 and this would transfer up to \$50 million of ARRA funds.

5           Gabriel Taylor?

6           MR. TAYLOR: Good morning Chairman,  
7 Commissioners. My name is Gabriel Taylor, I am the  
8 Commission Agreement Manager for the Interagency Agreement  
9 with the Department of General Services for the Energy  
10 Efficient State Property Revolving Fund.

11           I'm joined here by Mr. Jim Derby, the Acting  
12 Deputy Director for the Real Estate Services Division of  
13 the Department of General Services, who's in charge of the  
14 implementation of the fund.

15           After my brief introduction, I believe Mr. Derby  
16 would like to say a few words.

17           This fund was established by State statute with  
18 \$25 million of American Recover and Reinvestment Act  
19 funding to create a permanent mechanism for improving State  
20 building energy efficiency and reducing State energy costs.

21           The fund provides loans to State departments and  
22 agencies for energy projects that achieve long-term energy  
23 efficiency, energy conservation, and energy cost savings in  
24 State owned buildings and facilities.

25           This item on the agenda today will amend the

1 Interagency Agreement in two ways. The first, as required  
2 by Public Resources Code 25471(d), the amendment will allow  
3 the Commission to add up to \$50 million of Recovery Act  
4 funding to the fund.

5 And second, since there is no sunset date on the  
6 statute or the loan fund, this amendment will extend the  
7 agreement by five years.

8 Mr. Derby?

9 MR. DERBY: Thank you. Good morning Mr. Chair  
10 and Commissioners, I'm Jim Derby, Acting Deputy Director  
11 for DGS Real Estate Services Division.

12 I appreciate the opportunity to appear briefly  
13 before you this morning to speak in support of this  
14 potential transfer of funds into the Energy Efficiency  
15 State Revolving Fund.

16 The Department of General Services has  
17 successfully administered the prior \$25 million in ARRA  
18 funding, including 12 contracts for eight State agencies to  
19 implement energy retrofit projects at about 450 facilities.

20 The additional funding can certainly be utilized  
21 to pursue projects at up to an additional 11,000 State  
22 owned buildings previously identified for potential energy  
23 retrofit projects.

24 That additional funding will further DGS's  
25 ability, working with other State agencies, to implement

1 the State's Energy Efficiency Program and reduce cost,  
2 energy use, reduce greenhouse gases, and reduce  
3 environmental impacts.

4 And we look forward to and would appreciate your  
5 support.

6 CHAIRPERSON WEISENMILLER: Thank you.  
7 Commissioners, any questions or comments?

8 COMMISSIONER DOUGLAS: Just a brief comment. DGS  
9 has worked hard and been a good partner in making this  
10 program work, so I'd like to thank them, thank you for your  
11 work on this program.

12 We almost certainly will have some funding at the  
13 end of the day to put into this account and so as the  
14 deadline approaches on Recovery Act money and programs get  
15 down to the wire in terms of how much they're able to  
16 spend, and how much money it looks like we'll be taking  
17 back either because they finish on time and under budget  
18 which is, of course, what we're always hoping for, or  
19 because there's some amount of funding, whether it's admin,  
20 or rebate, or something else that the programs just don't  
21 get through. And so we'll have a major effort and we do  
22 have a major effort coming up on the Recovery Act deadline  
23 to identify those funds, bring those funds back into, first  
24 of all the Commission, but more importantly this fund that  
25 has been established by statute. And so this agreement

1 would give us the mechanism to transfer funds.

2 I think this is really important and this has  
3 been the result of a lot of work, from a lot of people to  
4 get us to this really good alternative for spending  
5 Recovery Act funding.

6 So I move Item 8.

7 COMMISSIONER PETERMAN: I'll second.

8 CHAIRPERSON WEISENMILLER: All those in favor?

9 (Ayes)

10 CHAIRPERSON WEISENMILLER: Item 8 passes  
11 unanimately. Thank you.

12 Item 9, this is CRHMFA Homebuyers Fund; possible  
13 approval of Amendment 4 to Contract 400-09-016 to add an  
14 additional \$5 million of spending authority. This is,  
15 again, ARRA funding. Adrian Ownby.

16 MR. OWNBY: Good morning Commissioners, I'm  
17 Adrian Ownby, the Commission Contract Manager for this  
18 contract.

19 This item's an amendment to an existing ARRA SEP  
20 residential contract with the CRHMFA Homebuyers Fund or,  
21 more simply, CHF.

22 CHF's Moderate Income Sustainable Technology, or  
23 MIST program, provides grants and low-interest loans for  
24 comprehensive energy efficiency retrofits to moderate  
25 income homeowners in 52 counties and two cities in

1 California.

2           This program has been extremely successful. It's  
3 grown from an existing \$16.5 million program to a \$27.5  
4 million program. By April 30, 2012 CHF expects to have  
5 made over \$23.9 million in loans to retrofit 1,055 single-  
6 family homes.

7           On a per-home basis staff estimates average  
8 annual electrical energy savings to be over 33 percent and  
9 that the annual natural gas savings will be over 28  
10 percent.

11           Staff projects the energy efficiency and  
12 renewable generation retrofits financed by this program  
13 will reduce electricity and natural gas consumption by over  
14 86 billion source BTUs annually and save homeowners almost  
15 \$40 million in utility costs over the 15-year loan term.

16           It's worth noting that many of these measures  
17 will last well beyond the 15 years of the loan term.

18           This contract's been one of our most  
19 administratively cost-effective ARRA contracts. Upon  
20 approval of this amendment, including grants and loans, it  
21 is anticipated that over 95 percent of the program's  
22 spending will have gone directly for retrofit work on  
23 single-family, moderate-income homes.

24           This amendment will create an additional \$5  
25 million in spending authority, contingent upon funding

1 availability and program performance. Any additional funds  
2 that may be provided to the program will be used  
3 exclusively for loans.

4 At this time staff would like to request the  
5 Commission's approval of this amendment and would welcome  
6 any questions. I believe two members of CHF are in the  
7 audience, Mark Lauder and Craig Ferguson from CHF, to  
8 answer any questions for you.

9 CHAIRPERSON WEISENMILLER: All right, thank you.  
10 Commissioners, any questions or comments?

11 COMMISSIONER DOUGLAS: I support moving forward  
12 with this item. This is giving us some valuable head room  
13 into the contract, so that to the extent funding's  
14 available we could move additional funding into the  
15 contract.

16 The point that Adrian made about the money really  
17 being just for loans is important because we're coming up  
18 on the ARRA deadline and so the loans would qualify, but  
19 other expenses can't. You know, the funding can't be  
20 applied to other expenses beyond the ARRA deadline. I  
21 think all the parties understand that.

22 So, if there are no other comments or questions,  
23 I'll just move Item 9.

24 COMMISSIONER PETERMAN: No comments or questions  
25 and I'll second.

1 CHAIRPERSON WEISENMILLER: Okay, all those in  
2 favor?

3 (Ayes)

4 CHAIRPERSON WEISENMILLER: Item 9 passes  
5 unanimously. Thank you.

6 Item 10; County of Los Angeles Internal Services  
7 Department, possible approval of Amendment 4 to Contract  
8 400-09-024, County of Los Angeles Internal Services  
9 Division.

10 This is, again, to add up to \$5 million of  
11 additional ARRA funds. Samuel Lerman.

12 MR. LERMAN: Good morning Commissioners, my name  
13 is Samuel Lerman, from the Efficiency and Renewable Energy  
14 Division.

15 Contract 400-09-024 is an ARRA Energy Efficiency  
16 and Conservation Block Grant contract that seeks to promote  
17 comprehensive residential energy retrofits in the County of  
18 Los Angeles.

19 Specifically, current funding under this contract  
20 includes refining marketing and outreach strategies,  
21 developing workshops for directing stakeholders and  
22 contractors into the program, and establishing contractor  
23 scholarships for Building Performance Institute and HERS  
24 trainings.

25 Additionally, the County has secured ARRA funds

1 through the Department of Energy's Better Buildings Program  
2 and Direct EECBG Formula funding to implement innovative  
3 community-scale building retrofit programs that achieve  
4 unprecedented deep market penetration within the 88 cities  
5 that comprise Los Angeles County.

6 Amendment Number 3 to this agreement, which was  
7 approved at the February 8<sup>th</sup>, 2012 Commission Business  
8 Meeting, gave authority to place up to \$8 million in an  
9 account designed to expand upon the County's existing  
10 innovative financing programs. Five million of this \$8  
11 million is currently programmed for a variety of financing  
12 mechanisms, such as residential and nonresidential loan off  
13 reserves and residential interest rate buy downs.

14 And it will also help create new programs, such  
15 as revolving loan funds or loan loss reserves that will  
16 help secure private capital for residential, commercial,  
17 and contractor support.

18 The remaining \$3 million authorized under  
19 Amendment Number 3 will be placed in Los Angeles County's  
20 existing Municipal Building Revolving Loan Program, in  
21 which the County has already identified a list of pre-  
22 audited projects totaling more than \$5 million that are  
23 eligible to receive the financing.

24 Therefore, the proposed Amendment Number 4 will  
25 increase the County's spending authority up to an

1 additional \$5 million for the County's Municipal Building  
2 Revolving Loan Program, in addition to the \$3 million  
3 already added for this program under Amendment Number 3.

4 The total amount to be added to the contract  
5 under the proposed Amendment Number 4 is contingent upon  
6 funding availability and program performance, but will not  
7 exceed \$5 million.

8 So, therefore, I request your approval of this  
9 item.

10 CHAIRPERSON WEISENMILLER: Thank you.  
11 Commissioners, any questions or comments?

12 COMMISSIONER DOUGLAS: This is another really  
13 great opportunity for moving further with retrofit programs  
14 in the Los Angeles area, which is an area where we've seen  
15 really good leadership in efficiency retrofits. We have,  
16 of course, in many parts of the State.

17 One of the things about the Los Angeles program  
18 is that the County has been very good both at organizing  
19 with the 58 cities within the County, and also with working  
20 with other counties and other jurisdictions, outside of Los  
21 Angeles County, to disseminate ideas, to create a broader  
22 program structure.

23 So, I think this would be a great opportunity for  
24 additional funding, should the funding be available, and  
25 I'll move Item 10.

1 COMMISSIONER PETERMAN: And I'll second.

2 CHAIRPERSON WEISENMILLER: All those in favor?

3 (Ayes)

4 CHAIRPERSON WEISENMILLER: Item 10 passes

5 unanimously. Thank you.

6 Item 11; City of Fresno, possible approval of  
7 Amendment 2 to Contract 400-09-032 with the City of Fresno  
8 Sustainable Fresno Division, and ask to add \$500,000 in  
9 spending authority. Again, this is ARRA funding, and Jenny  
10 Wu.

11 MS. WU: Good morning Commissioners, my name's  
12 Jenny Wu, I'm with the Efficiency and Renewable Energy  
13 Division. I'm the Commission Contract Manager for the  
14 ARRA-funded Agreement 400-09-032, the Fresno -- the  
15 Fresno -- sorry, the Fresno Regional Comprehensive  
16 Residential Retrofit Program with the City of Fresno.

17 I'm here to request your approval of Amendment 2  
18 to Agreement 400-09-032 for an additional \$500,000 in  
19 spending authority.

20 Currently, the City of Fresno administers the  
21 four-county-wide Fresno Regional Comprehensive Residential  
22 Retrofit program that serves Fresno, Kern, Tulare and Kings  
23 Counties.

24 The program offers whole house energy ratings,  
25 contractor certification training, and public education of

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1 the whole house approach for achieving energy savings in  
2 existing homes.

3 This amendment, if approved, will provide  
4 additional funding for ratings and enable the program to  
5 cover additional counties in the San Joaquin Valley Region,  
6 such as Madera.

7 Staff is available to answer any questions you  
8 have at this time.

9 CHAIRPERSON WEISENMILLER: Commissioners, any  
10 questions or comments?

11 COMMISSIONER DOUGLAS: This is another of our  
12 really good programs and another one that's looking to, in  
13 the City of Fresno's case, cover additional areas that they  
14 haven't been able to cover, initially.

15 The enthusiasm that Fresno has brought to this  
16 program and the success that this program has had is very  
17 impressive and so I'm very hopeful that funding will be  
18 available to add funding to this program. I'll move Item  
19 11.

20 COMMISSIONER PETERMAN: I'll second.

21 CHAIRPERSON WEISENMILLER: All those in favor?

22 (Ayes)

23 CHAIRPERSON WEISENMILLER: Item 11 passed  
24 unanimously. Thank you.

25 Item 12; University of California, Riverside,

1 possible approval of Contract 500-11-014 for \$1,400,536  
2 with the Regents of the University of California on behalf  
3 of the Riverside campus.

4 This is PIER Natural Gas funding and, Reynaldo.

5 MR. GONZALEZ: Good morning Chair, Commissioners,  
6 my name is Ray Gonzalez and I'm the Research Lead for the  
7 Energy Research and Development Division's PIER  
8 Transportation Program.

9 Staff is seeking approval of this project with  
10 the University of California, at Riverside.

11 The Center for Environmental Research and  
12 Technology, a Research Center at the University of  
13 California at Riverside, has conducted renewable natural  
14 gas research using steam hydrogasification reactor  
15 technology with very good results.

16 This project will bring new technology to make  
17 steam hydrogasification process more efficient and improve  
18 the ability to sequester carbon.

19 Adding this new technology is much like adding a  
20 turbo charger to an engine. While the engine can run in  
21 stand-alone mode, the addition of a turbo charger boosts  
22 the performance.

23 Again, this project will add a new, more  
24 efficient method of producing high quality renewable  
25 natural gas.

1           The goals of this agreement are as follows; to  
2 demonstrate and validate the production of renewable  
3 natural gas with steam hydrogasification reactor, evaluate  
4 the process economics and energy balances of the newly  
5 integrated stream hydrogasification reactor, and complete a  
6 basic engineering design for a pilot plant of the new steam  
7 hydrogasification reactor's design using key information  
8 from the proposed research.

9           Staff is seeking approval of this project with  
10 the UC Riverside. And Dr. Joe Norbeck, Dr. Chen Park and  
11 Dr. Tom Durbin are here today, from the University of  
12 Riverside and will help in answering any questions.

13           CHAIRPERSON WEISENMILLER: Great. Do you want to  
14 step forward and make some comments for the record?  
15 Please. Well, certainly, you came this distance, we'd love  
16 to hear from you?

17           MR. NORBECK: You've come this distance, we'd  
18 love to hear from you.

19           DR. NORBECK: I didn't really plan on speaking,  
20 but I love this project. As I said, we've been working on  
21 the development, with the CEC funding, on building a  
22 process demonstration unit of this technology. The  
23 Department of Energy evaluated it, said it was probably the  
24 most efficient and cost-effective method for thermo  
25 chemical conversion of waste.

1           We have been, now, looking at this process and  
2 making modification with our new group of PhDs to absorb --  
3 there was some CO2 removal and we now have some pretty good  
4 results for absorbing the CO2 so you get increased  
5 efficiency and no CO2 in the process. And you're making a  
6 totally renewable natural gas which can go, now, to make  
7 also gasoline and Fischer-Tropsche diesel.

8           So, it's a pretty exciting project and I really  
9 thank the staff and the CEC for supporting us in our  
10 research, it's been pretty good.

11           And that's all I really have to say, I can answer  
12 any other questions.

13           CHAIRPERSON WEISENMILLER: Well, no, thank you,  
14 certainly, for your enthusiasm and work on this. This has  
15 gone through the R&D and as the lead Commissioner on R&D,  
16 I've certainly reviewed this and think it's a good project.  
17 And certainly appreciate your availability to answer any  
18 questions from the other Commissioners.

19           COMMISSIONER DOUGLAS: I'll just add, I think it  
20 sounds like a great project. Thank you for bringing us  
21 this project, it sounds like it's got a lot of great  
22 potential for helping us meet our climate goals, and  
23 electricity system renewables integration, reliability, and  
24 so on.

25           DR. NORBECK: One, we get methane and then you

1 can either convert that to a liquid fuel or you can use it  
2 as a renewable natural gas, so it's got two advantages for  
3 the State of California for us to meet our goals here in  
4 low carbon fuels.

5 COMMISSIONER DOUGLAS: Absolutely. Great.

6 DR. NORBECK: Thank you.

7 CHAIRPERSON WEISENMILLER: Great.

8 COMMISSIONER DOUGLAS: So, I'll move item --  
9 where are we, Item 12.

10 CHAIRPERSON WEISENMILLER: Item 11 -- 12, you're  
11 right.

12 COMMISSIONER PETERMAN: I will second Item 12.

13 CHAIRPERSON WEISENMILLER: All those in favor?

14 (Ayes)

15 CHAIRPERSON WEISENMILLER: Item 12 passed  
16 unanimously.

17 So let's go on to Item Number 13, University of  
18 California, Riverside, possible approval of Contract 500-  
19 11-015 for \$1.2 million with the Regents of the University  
20 of California, on behalf of the Riverside campus.

21 This is, again, PIER natural gas funding. Please  
22 go forward.

23 MR. GONZALEZ: Thank you. Staff is seeking  
24 approval of the Alternative Fuels Natural Gas  
25 Infrastructure Compatibility Project with UC Riverside.

1 California is dependent upon an extensive and  
2 pervasive network of transportation, storage, and  
3 distribution systems for oil and natural gas fuels.

4 With the transition to a greater use of  
5 alternative fuels, such as renewable natural gas, the fuels  
6 may come from different sources through diverse pathways,  
7 with the potential to carry with them impurities or trace  
8 contaminants.

9 As we implement State policy and move toward  
10 carbon-neutral and greenhouse gas-friendly transportation  
11 fuels, we must ensure that our infrastructure is able to  
12 safely accommodate a diverse portfolio of fuels.

13 Currently, there is limited knowledge and  
14 understanding on how the new alternative fuels will impact  
15 existing and planned infrastructure.

16 The focus of this project is a safe and effective  
17 transportation distribution and storage of these  
18 alternative and renewable fuels.

19 The research will include analysis of current  
20 alternative and alternatively sourced fuels in relation to  
21 the infrastructure materials compatibility.

22 Testing will focus on evaluating critical  
23 parameters, such as metal corrosion, embrittlement, and  
24 degradation of seals, as an example.

25 The key goal of this research is to improve the

1 infrastructure and fuels technologies that demonstrate the  
2 potential to reliably supply alternative transportations  
3 fuels for California.

4 Staff is seeking approval of this project with UC  
5 Riverside.

6 CHAIRPERSON WEISENMILLER: Thank you.

7 MR. GONZALEZ: I can answer any questions at this  
8 time.

9 CHAIRPERSON WEISENMILLER: Commissioners, any  
10 questions or comments?

11 COMMISSIONER PETERMAN: I'll just comment that  
12 it's good to see this project on the agenda, along with the  
13 project that we just approved. It shows that parties and  
14 the PIER group is paying attention not only to the fuels,  
15 but also how they're going to interact with the  
16 technologies going forward.

17 The Energy Commission, through its AB 118  
18 program, transportation program has continued to support  
19 renewable natural gas infrastructure and vehicles, and this  
20 is a nice complement to those deployment funding, and good  
21 to see the research in this area, so I'm support.

22 CHAIRPERSON WEISENMILLER: Good.

23 COMMISSIONER PETERMAN: So with that, I will move  
24 Item 13.

25 COMMISSIONER DOUGLAS: Second.

1 CHAIRPERSON WEISENMILLER: All those in favor?

2 (Ayes)

3 CHAIRPERSON WEISENMILLER: Item 13 passed

4 unanimately.

5 Item Number 14; Lawrence Berkeley National  
6 Laboratory, possible approval of Amendment 1 to Contract  
7 500-09-042 for the Department of Energy Lawrence Berkeley  
8 National Laboratory to add \$1 million and to extend the  
9 contract 12 months. This is, again, PIER natural gas  
10 funding.

11 Dr. Franco.

12 MR. FRANCO: Thank you. I don't have a doctorate  
13 degree, but thank you very much.

14 CHAIRPERSON WEISENMILLER: Okay.

15 MR. FRANCO: Good morning Commissioners, my name  
16 is Guido Franco; I'm the Technical Lead for Environmental  
17 Research for PIER. I'm representing here -- I'm presenting  
18 this item for Mala Mueller (phonetic), our air quality  
19 expert.

20 The proposed project's an augmentation of an  
21 existing contract and it is designed to add substantial new  
22 measurements in homes for factors that may affect indirect  
23 quality, and should be considered in the design of new  
24 residential building and appliance standards in California.

25 The study involves three new tasks. The first

1 one has to do with the measurement of transient  
2 concentrations of air pollutants in indoor conditions due  
3 to the use of cooking burners. And they will be measuring  
4 nitrogen dioxide, nitrogen oxides, carbon monoxide and all  
5 their compounds.

6 Ten homes will be tested, with for each one there  
7 will be a measuring period of about six days. This part of  
8 the study is designed to look at the acute exposure to air  
9 pollution.

10 Prior studies have been looking more at the  
11 chronic type, long-term exposure to indirect pollution.

12 The second part of the study has to do with the  
13 looking at the efficiency of removal of pollution by  
14 residential range hoods.

15 So there will be five common range hood designs  
16 that will be tested, with different type of cooking  
17 conditions. And this part of the project would also result  
18 in the development of a new standard that could be used for  
19 testing of range hoods, other types of range hoods.

20 And the third part of the project has to do with  
21 looking at California homes that have been or will be  
22 retrofitted for air tightness. I mean there will be the  
23 study looking at the impacts on indoor quality, some of the  
24 pollutants may not be adequately exhausted to the outside.

25 The research will look at the factors that are

1 affecting that condition. There will be 50 California  
2 homes that will be measured for a period of about one month  
3 per home.

4 So, Commissioners, I'm ready to answer any  
5 questions that you may have.

6 CHAIRPERSON WEISENMILLER: Thank you. Again, as  
7 the R&D Commissioner, I've reviewed this, but any questions  
8 or comments?

9 COMMISSIONER DOUGLAS: Move Item 14.

10 COMMISSIONER PETERMAN: I'll second.

11 CHAIRPERSON WEISENMILLER: Okay, all those in  
12 favor?

13 (Ayes)

14 CHAIRPERSON WEISENMILLER: Item 14 passed  
15 unanimously.

16 Item 15; University of California, Berkeley,  
17 possible approval of Contract 500-11-016 for \$425,000 with  
18 the Regents of California -- the University of California  
19 on behalf of the Berkeley campus.

20 And this is, again, PIER natural gas funding,  
21 right.

22 MR. FRANCO: Commissioners, as you know, the  
23 Sacramento, San Joaquin Delta Region is home to important  
24 energy facilities. For example, we have underground  
25 natural gas storage units, there are several natural gas

1 pipelines, also electricity transmission lines.

2 At the same time, some scientists believe that  
3 the levies that protect the Delta may fail in a major way  
4 due to multiple factors, including earthquakes, or just  
5 severe storming conditions.

6 In addition to that, there is a recent PIER study  
7 that suggests that the entire Delta system and the levies  
8 are subsiding, they are moving down, and that by the next  
9 40 to 50 years we -- the subsiding of the Delta system that  
10 the levies may be outside their designed capacity.

11 So, even though there's a need to continue this  
12 type of research to confirm or not that the system is  
13 subsiding, I think it's prudent to now to start looking at  
14 a potential indication, so failures of the Delta system, of  
15 the levies on energy facilities in that area.

16 So, this proposed project, the research for UC  
17 Berkeley, I mean will be doing exactly what I've just  
18 indicated. They will be using newly acquired topographic  
19 data that has measure with using lasers from aircrafts,  
20 what is called lighter. They will also be using a new,  
21 hydrodynamic model to better simulate flooding conditions.

22 And they will also be analyzing conditions in the  
23 San Francisco Bay.

24 This project will include a technical advisory  
25 committee that will be formed by stakeholders, but also by

1 a representative from the different natural gas utilities.

2 With that, I'm ready to answer any questions that  
3 you may have.

4 CHAIRPERSON WEISENMILLER: Again, this went  
5 through the R&D Committee, as the R&D Commissioner for the  
6 Commission, I have certainly bought off on this one.

7 Commissioners, any questions or comments?

8 COMMISSIONER PETERMAN: I have no questions. I  
9 do have more of a comment. I'd like to disclose, as most  
10 of you are aware, that I'm finishing up my PhD at UC  
11 Berkeley and intend to file it in the next few months, or  
12 as soon as possible.

13 I am not receiving any funding or income from UC  
14 Berkeley and I have not had any financial connection to any  
15 of the parties associated with this project.

16 I have been advised by legal counsel that I do  
17 not have a legal conflict. I also believe that I can  
18 consider this issue objectively and without bias. But I  
19 did want to put that on the record and make sure that my  
20 fellow Commissioners are aware.

21 CHIEF COUNSEL LEVY: Commissioners, if I could  
22 just follow on to that for a minute. We discussed this  
23 issue internally, through several attorneys, and also  
24 consulted with the Attorney General's Office on this.

25 And Commissioner Peterman's status with the Haas

1 School of Business does not carry itself all the way up to  
2 the entire State agency known as UC Berkeley. So, she has  
3 recused until 12 months after her term ended, May 13<sup>th</sup>,  
4 2011. So May 13<sup>th</sup>, this 2012, from anything associated with  
5 EI and Haas, and its direct entities, but not UC Berkeley  
6 at large. And Commissioner Peterman wanted to make that  
7 clear for the record.

8 COMMISSIONER PETERMAN: Thank you for clarifying  
9 that.

10 CHAIRPERSON WEISENMILLER: Yes, thank you both  
11 for the clarification of those issues. Obviously, we take  
12 conflict issues very seriously here and certainly  
13 appreciate both of your consideration on the issue in this  
14 context.

15 COMMISSIONER DOUGLAS: I agree with those  
16 comments. I'll go ahead and move Item 15.

17 COMMISSIONER PETERMAN: I'll second.

18 CHAIRPERSON WEISENMILLER: All those in favor?

19 (Ayes)

20 CHAIRPERSON WEISENMILLER: Item 15 passes  
21 unanimously. Thank you.

22 Item 16; California Business Transportation and  
23 Housing Agency, possible approval of Amendment 3 to  
24 Contract 600-09-011 with BTH to extend the agreement by 14  
25 months and add up to \$170,000.

1           This is ERPA funding.   Jacob Orenberg.

2           MR. ORENBERG:   Good morning Chairman and  
3   Commissioners, my name is Jacob Orenberg, and with me is  
4   Marcia Smith.   Together, we manage the Clean Energy  
5   Business Financing Program commonly known as the CEBFP,  
6   which provides approximately \$18.3 million in low-interest  
7   loans to private sector manufacturers of renewable energy  
8   products.

9           Agenda Item 16 requests approval of a 14-month  
10   extension of Agreement 600-09-011 with the California  
11   Business, Transportation and Housing Agency, otherwise  
12   known as BTH.

13           BTH partners with numerous California small  
14   business financial development corporations, or the FDCs,  
15   to implement programs such as the California Small Business  
16   Loan Guarantee Program.

17           Through this agreement with BTH, the Energy  
18   Commission was able to secure the services of the FDCs to  
19   support the implementation and administration of the CEBFP.

20           The two FDCs assisting with the CEBFP are the  
21   State Assistance Fund or Enterprise Business and Industrial  
22   Development Corporation, which is more commonly referred to  
23   as SAFEIDCO, and Pacific Coast Regional Small Business  
24   Development Corporation.

25           These FDCs initially provided a financial review

1 of potential borrowers and developed the loan documents.  
2 And they continue to provide loan servicing for CEBFP  
3 borrowers. This includes securing the Energy Commission's  
4 collaterals, coordinating monthly repayment billing,  
5 reviewing quarterly and annual financial statements from  
6 the borrowers and reviewing borrower requests as required  
7 by the term of the loan agreements.

8           These specialized financial services are outside  
9 the expertise of the Energy Commission staff and are  
10 essential for the continued successful implementation and  
11 administration of the CEBFP.

12           This agenda item, if approved, will extend the  
13 agreement by 14 months, through June 30<sup>th</sup>, 2013. The  
14 extension will be paid for with \$170,000 of ERPA funds.  
15 All other terms of the contract remain unchanged.

16           Staff requests that the Energy Commission approve  
17 Agenda Item 16 to extend the Agreement 600-09-011 through  
18 June 30<sup>th</sup>, 2013, at a cost of \$170,000.

19           And I am available to answer any questions.

20           CHAIRPERSON WEISENMILLER: Thank you.

21           Commissioners, any questions or comments?

22           COMMISSIONER DOUGLAS: Just a brie comment. The  
23 services provided to the Commission under this contract are  
24 very important to us. You know, we're not a financial  
25 institution, we don't and shouldn't be the ones doing the

60

1 due diligence on requests that will be made by loan  
2 recipients to potentially take on more debt, or  
3 potentially, you know, raise other issues that need expert  
4 financial review.

5 We do, of course, very thoroughly review -- in  
6 our relationship with the entities helping us here, I mean  
7 we do have a very active and thorough review of their  
8 recommendations, but it's very helpful to us to have this  
9 kind of support.

10 And these loans, my understanding is they are  
11 most or all in repayment now. All, correct? They're all  
12 making payments, now, so the loan terms are going to extend  
13 out into the future and this support will help us manage  
14 these loans and manage this portfolio going out into the  
15 future.

16 So, it's really important and we're pleased to  
17 have the support. So, I will move Item 16.

18 COMMISSIONER PETERMAN: Second.

19 CHAIRPERSON WEISENMILLER: All those in favor?

20 (Ayes)

21 CHAIRPERSON WEISENMILLER: Item 16 passed

22 unanimously.

23 Item 17. Thank you. Taft City School District,  
24 possible approval of Agreement 002-11-ECF for a loan of  
25 \$1,807,043 to the Taft City School District to install

1 various projects.

2 And this is ECAA funding. Akasha, go ahead.

3 MS. KAUR KHALSA: Good morning Commissioners, my  
4 name is Akasha Kaur Khalsa, I'm with the Fuels and  
5 Transportation Division Special Projects Office.

6 This loan, 002-11-ECF, is a request for an  
7 approval of an ECAA loan for \$1,807,443 for the Taft City  
8 School District. It's in Taft, California, in Kern County.

9 The district has requested this loan to fund  
10 installation of energy efficient interior and exterior  
11 lighting, occupancy sensor, vending machine misers, and 680  
12 kilowatts of solar photovoltaics on the district office,  
13 one junior high school, and five elementary schools.

14 The energy efficiency upgrades are expected to  
15 save the district more than 128,000 kilowatt hours annually  
16 and, in addition, the photovoltaic systems are expected to  
17 produce 1.1 million kilowatt hours annually.

18 This results in energy cost savings of  
19 approximately \$164,000 for the district each year.

20 The total cost for the project is approximately  
21 \$4.8 million. This loan is \$1.8 million. The California  
22 Solar Initiative Incentive will contribute about \$0.9  
23 million over five years and a local bond issue will be on  
24 the June ballot for the remaining \$2.1 million to complete  
25 the project.

1           The simple payback for his loan is 11 years,  
2 based on the loan amount, and the interest rate is three  
3 percent.

4           Staff has reviewed the loan application and has  
5 determined this request complies with all the program  
6 requirements.

7           I'm here today to seek your approval and I'm  
8 available to answer any questions, thank you.

9           CHAIRPERSON WEISENMILLER: Thank you.  
10 Commissioners, any questions or comments?

11           COMMISSIONER DOUGLAS: No questions. I'm pleased  
12 to see this project, it looks like a very good project and  
13 it looks like it will be reaching a number of schools, so  
14 that's really great. I move Item 17.

15           COMMISSIONER PETERMAN: I second.

16           CHAIRPERSON WEISENMILLER: Okay, all those in  
17 favor?

18           (Ayes)

19           CHAIRPERSON WEISENMILLER: Item 17 passes  
20 unanimously. Thank you.

21           Item 18; Bay Area Air Quality Management  
22 District, possible approval of Agreement ARV-11-003 for a  
23 grant of \$200,000 to the Bay Area Air Quality Management  
24 District, and this is ARFVTP funding.

25           And Lindsee Tanimoto.

1 MR. TANIMOTO: Yes, good morning Chair and  
2 Commissioners, my name is Lindsee Tanimoto, and I am from  
3 the Emerging Fuels and Technologies Office, the Fuels and  
4 Transportation Division.

5 I am presenting for your approval, today, three  
6 projects that are regional plans to support plug-in  
7 electric vehicles in California, and they are Agenda Items  
8 18, 19 and 20. Six similar projects have already been  
9 approved by you at the last two Business Meetings.

10 I will summarize the similar aspects of each of  
11 these projects and then discuss each one, specifically, as  
12 they all come from the same solicitation and are very  
13 similar in scope.

14 In order to prepare California regions for the  
15 rollout of plug-in electric vehicles, or PEVs, the Energy  
16 Commission issued Solicitation PON-10-602 for \$2 million,  
17 using alternative and renewable fuel, and vehicle  
18 technology program funds.

19 Over the next few years thousands of PEVs are  
20 expected to be deployed in the California market. Each  
21 region, led by a PEV coordinating council, comprised of at  
22 least four public agencies, will develop a regional plan  
23 that includes the charging infrastructure for residential,  
24 single- and multi-unit dwellings, workplace, fleet,  
25 commercial, public sites and various corridors.

1           The councils will also coordinate with utilities,  
2 automakers, nonprofits, and local governments to provide  
3 consumer education, outreach, and information that will  
4 streamline the permitting, insulation, and inspection of  
5 the charging infrastructure equipment.

6           Some of these projects are receiving funding from  
7 the U.S. Department of Energy through the Clean Cities  
8 Community Readiness and Planning for PEVs and Charging  
9 Infrastructure Program.

10           We are working closely with the statewide PEV  
11 Collaborative as they assist grantees with the development  
12 of the DOE regional plans.

13           The first project I'd like to present for your  
14 approval is ARV-11-003, with the Bay Area Air Quality  
15 Management District and that covers the Monterey Bay  
16 Region, and it's for \$200,000.

17           The Monterey Bay PEV Readiness Plan covers  
18 Monterey, San Benito, and Santa Cruz Counties. The  
19 Monterey Bay Electric Vehicle Alliance, with its broad  
20 range of local agencies and cities will serve as a  
21 coordinating council.

22           The Bay Area AQMD will contract with Ecology  
23 Action to develop the Monterey Bay Area PED Readiness Plan.

24           Ecology Action will provide a matched share of  
25 \$53,316 from in-kind services.

1           The second project I'd like to present for your  
2 approval is ARV-11-007, with the Southern California  
3 Association of Governments, or SCAG, for \$200,000

4           The SCAG PEV Readiness Plan covers a service area  
5 of Southern California Edison and portions of Ventura, Los  
6 Angeles, Riverside, San Bernardino, Imperial and Orange  
7 Counties.

8           Partners include South Coast AQMD, Southern  
9 California Edison, the City and County of Los Angeles,  
10 along with the South Bay Cities and Western Riverside  
11 Council of Governments.

12           The plan will produce two subregional PEV  
13 Readiness Plans that could serve as models to other regions  
14 in California.

15           Southern California Edison will provide a matched  
16 share of \$300,000 for in-kind services. SCAG is receiving  
17 \$300,000 from the USDOE. This brings the total match share  
18 to \$600,000.

19           The third project that I'd like to present for  
20 your approval is ARV-11-011, with the Coachella Valley  
21 Association of Governments for \$200,000.

22           The Coachella PEV Readiness Plan will include  
23 their Neighborhood Electric Vehicle Plan that covers the  
24 Coachella Valley and Riverside County.

25           The partners include ten cities, such as Palm

1 Springs, Desert Hot Springs and Indian Wells. Other  
2 partners include tribes from the Agua Caliente and the  
3 Cabazon Bands, the County of Riverside, Southern California  
4 Edison, and the Imperial Irrigation District.

5 The plan will address the needs of the existing  
6 populations and the millions that visit this resort region  
7 each year.

8 A unique component of the plan is a proposed 54-  
9 mile green parkway that will be used by neighborhood  
10 electric vehicles and bicycles connecting communities  
11 across the region.

12 Coachella Valley Association of Governments will  
13 provide a matched share of \$300,000 for in-kind services.

14 This concludes my presentation and I'll be happy  
15 to answer any questions concerning these three projects.  
16 Thank you.

17 CHAIRPERSON WEISENMILLER: Thank you.  
18 Commissioners, any questions or comments on these three  
19 projects?

20 COMMISSIONER PETERMAN: I have no questions; I'll  
21 offer a comment or two. As lead Commissioner on  
22 transportation, I'm very supportive of these readiness  
23 plans and this work, and glad to see these three plans on  
24 the agenda for today.

25 Indeed, the Energy Commission, the State private

1 partners have worked very hard to continue to fund  
2 alternative fuels and vehicles and to deploy alternative  
3 fuels and vehicles and that work -- and in order for that  
4 work to be successful, we have to make sure that  
5 communities are ready to receive the technology.

6           And this collaboration with local governments,  
7 with Federal partners, with utilities, with other agencies  
8 is important and necessary.

9           And I think, considering the size of the awards,  
10 we're going to get a lot of bang for our buck, and looking  
11 forward to seeing the results of these plans and doing the  
12 deployment and rollout of EVs in a very smart and  
13 thoughtful way.

14           And I also appreciated your comments about being  
15 able to leverage the results from this work to make sure  
16 that other communities in the State, that are not  
17 necessarily funded through these plans, will also have good  
18 rollout.

19           CHAIRPERSON WEISENMILLER: Great. And I believe  
20 we have, also, Peter Christensen from ARB in the audience,  
21 to discuss these.

22           MR. CHRISTENSEN: Good morning, Peter Christensen  
23 from the Air Resources Board. I'm the Manager of ARB's  
24 AQIP, Air Quality Improvement Program, which is the  
25 complementary program to the program that you're talking

1 about today, here.

2 I just wanted to offer a couple of brief comments  
3 and support the three projects that you have before you  
4 here. This is one of a couple of examples of complementary  
5 projects on your agenda today.

6 But the readiness plans are an important  
7 component, as you said, kind of a logical rollout of  
8 electric vehicles.

9 It's a really exciting time, I think, for  
10 electric vehicles in California.

11 About a year ago we had a fairly small number of  
12 EVs out there in the market. And if you'll look at the  
13 progress from a year ago to today, with the very diverse  
14 marketplace of electric vehicle manufacturers and options  
15 available to consumers, the project that you have in front  
16 of you today is an important component of that and strongly  
17 supports that rollout, and we encourage your support.

18 COMMISSIONER PETERMAN: Mr. Christensen, thank  
19 you for your comments. And I appreciate the collaboration  
20 that the Energy Commission has had with the ARB in this  
21 area.

22 So if there are no other comments or questions I  
23 will -- how should we take this, Counsel, to move each,  
24 individually, or together.

25 CHIEF COUNSEL LEVY: You may take them all

1 together.

2 COMMISSIONER PETERMAN: I will move Items 18, 19  
3 and 20.

4 COMMISSIONER DOUGLAS: Second.

5 CHAIRPERSON WEISENMILLER: All those in favor of  
6 Items 18, 19 and 20?

7 (Ayes)

8 CHAIRPERSON WEISENMILLER: Items 18, 19 and 20  
9 passed unanimously.

10 Let's go on to 21, Phase II Energy Efficiency and  
11 Conservation Block Grant, EECBG, possible approval of nine  
12 block grants to small cities and counties for energy  
13 efficiency projects. These are ARRA funded. Amir.

14 MR. EHYAI: Thank you, Chairman. Good morning  
15 Commissioners, my name is Amir Ehyai and I'm with the  
16 Special Projects Office.

17 Just a quick note, the agenda notice shows that  
18 the grant amount to the City of Shasta lake is for  
19 \$475,500. This is a typo, the correct amount is \$475,000  
20 even.

21 The Phase II Energy Efficiency and Conservation  
22 Block Grant solicitation allows small cities and counties  
23 to apply for grants to fund a specific set of energy  
24 efficiency projects. All Phase II Block Grants are  
25 expected to be completed by September 13, 2012.

1           Currently, zero dollars are available to fund  
2 these nine Phase II projects. However, as unutilized Block  
3 Grant funds become available those funds will be provided  
4 to these jurisdictions in the order that their applications  
5 were received by the Energy Commission.

6           Awarding these Phase II grants before funds are  
7 actually available will ensure that unused Block Grant  
8 funds can immediately be put to use once available.

9           Since funding for these projects is dependent  
10 upon fallout from existing Energy Efficiency and  
11 Conservation Block Grant projects, it is important to note  
12 that one or more of these Phase II projects may never  
13 receive any funding at all.

14           The item before you today is similar to a  
15 discussion item heard last month at the March 14<sup>th</sup> Business  
16 Meeting. You will recall that on March 14<sup>th</sup>, six Phase II  
17 Block Grant projects were approved for award. Funding for  
18 those six awards was also dependent upon fallout from  
19 existing Block Grant projects.

20           As of today we have fully funded the first three  
21 of six awards and we were able to provide partial funding  
22 to the fourth project. We will immediately fund the  
23 remaining awards as funding becomes available.

24           Today's item is a request for approval of nine  
25 Phase II Block Grant awards. These will be for the Cities

1 of Big Bear Lake, Shasta Lake, Alturas, Foster City, Del  
2 Mar, Laguna Beach, Menlo Park, the County of Santa Clara  
3 and the City of Dixon.

4 As funding becomes available, these funds will be  
5 awarded to the applicants in this order.

6 Eight of the nine grants will be used to fund  
7 street light retrofits, while the grant to the City of  
8 Laguna Beach will fund the retrofit of interior fluorescent  
9 lights.

10 In total, these nine Phase II Block Grants will  
11 result in annual energy savings of approximately 2.3  
12 million kilowatt hours of electricity and a reduction of  
13 greenhouse gas emissions by approximately 800 tons.

14 These grants have been reviewed by the respective  
15 project managers and are recommended for approval. I'm  
16 happy to answer any questions you have and I can also  
17 provide a brief describe or review of each specific  
18 project.

19 CHAIRPERSON WEISENMILLER: Thank you.

20 Commissioners, any questions or comments?

21 COMMISSIONER DOUGLAS: Just a brief comment. I'd  
22 like to thank you and other staff in this program for your  
23 hard work in getting the Phase II solicitation out there.  
24 It's good to hear that we've been able to fund some of the  
25 projects that we approved the last time this came to the

1 Business Meeting.

2 And, of course, I have the mixed feeling of  
3 wishing all success to the folks who have the projects,  
4 now, and also hoping that we'll be able to fund some of  
5 these -- some more of these Phase II projects as the  
6 originally recipients, hopefully, come in on time and under  
7 budget, and are able to free up some funding for the  
8 others.

9 So, thank you and I'll move Item 21.

10 COMMISSIONER PETERMAN: Just the same thing, very  
11 good planning and preparation to make sure that the money  
12 is spent and goes to good projects. So, I will second Item  
13 21.

14 CHAIRPERSON WEISENMILLER: Okay, all those in  
15 favor of Item 21?

16 (Ayes)

17 CHAIRPERSON WEISENMILLER: Item 21 passed  
18 unanimously. Thank you.

19 22, Alternative and Renewable Fuel and Vehicle  
20 Technology Buy Down Incentive Reservations. Possible  
21 approval of a total of \$2,604,000 for vehicle buy down and  
22 this is ARFVT funding. Andre Freeman.

23 MR. FREEMAN: Good morning. Good morning staff,  
24 Commissioners and stakeholders. My name is Andre Freeman,  
25 I'm in the Fuels and Transportation Division's Emerging

1 Fuels and Technologies Office.

2 Today I'll be seeking approval of the second  
3 batch of incentive reservations funded through the  
4 Alternative and Renewable Fuels and Vehicle Technology  
5 Program. The total for these incentives will be \$2,604,000  
6 and represent the sales of 129 natural gas vehicles in  
7 California.

8 This program is designed to promote the purchase  
9 of clean, alternative-fueled vehicles to replace the aging  
10 gasoline and diesel fleets in California.

11 This program provides incentive to consumers to  
12 adopt these new technologies and more efficient natural gas  
13 technologies would provide both environmental and economic  
14 benefits to the State.

15 The Natural Gas and Propane Vehicle Buy Down  
16 Program began taking reservations on February 8<sup>th</sup>, of 2012.  
17 In the first two months we've seen a great response from  
18 both the propane and natural gas industries.

19 To date the program has funded a wide variety of  
20 vehicles, including light-duty, natural gas passenger  
21 vehicles, light, heavy and medium -- light-, medium- and  
22 heavy-duty goods movement and transportation vehicles, and  
23 also a large number of natural gas and propane buses for  
24 California school districts.

25 The first batch of reservations that you approved

1 last month fully depleted the propane bus funding that we  
2 had available. Staff expects the natural gas funding to be  
3 fully depleted upon approval of this item and next month's  
4 reservations, so a very good turnout from the natural gas  
5 industry.

6 Overall we expect to -- through the 2012 program  
7 we expect to fund 642 vehicles, including ones that are  
8 currently pending in front of you, 527 of these are natural  
9 gas vehicles, 50 are propane buses, and 65 are other  
10 propane vehicles.

11 I'd like to thank you for your consideration of  
12 this item, I'm available for any questions.

13 CHAIRPERSON WEISENMILLER: Thank you.  
14 Commissioners, any questions or comments?

15 COMMISSIONER PETERMAN: I'll just comment, as Mr.  
16 Freeman noted, there's been significant interest in this  
17 buy down program and there's obviously an interest in these  
18 vehicles that provide a much cleaner alternative to diesel  
19 and gasoline. And glad to see, particularly, the adoption  
20 of cleaner vehicles in the heavy-duty and truck industry,  
21 as well as in the bus programs.

22 Also, an opportunity for our youth in the State  
23 to have the opportunity to run on a cleaner burning bus,  
24 and that's always a good education opportunity as well.  
25 So, I'm very supportive of this project.

1                   CHAIRPERSON WEISENMILLER: Okay, and I believe  
2 Mr. Christensen has comments on this project, too.

3                   MR. CHRISTENSEN: I'm still Peter Christensen,  
4 with ARB, here again to support this item. You know, the  
5 Air Quality Improvement Program at ARB has a couple of  
6 components that are really focused on the commercialization  
7 and deployment of advanced technologies.

8                   As you know, we administer the Clean Vehicle  
9 Rebate Project, which is the light-duty side of our  
10 program, the Hybrid and Zero Emission Truck and Bus Voucher  
11 Incentive Project, which provides incentives for electric  
12 and zero emission trucks, light- and medium -- medium- and  
13 heavy-duty trucks.

14                   Just yesterday we had a funding plan workshop,  
15 which is the same -- the same, analogous to your investment  
16 plan, and we really appreciate the attendance by your  
17 staff, it's very helpful. Thank you, Jim, for that.

18                   The projects that you have in front of you on the  
19 agenda here, today, are another good example of the  
20 complementary nature of our two programs. So, again, we  
21 encourage your support. Thank you.

22                   CHAIRPERSON WEISENMILLER: Thank you for being  
23 here and working with our staff to coordinate the programs.

24                   COMMISSIONER PETERMAN: If there are no further  
25 comments, I will move Item 22.

1 COMMISSIONER DOUGLAS: Second.

2 CHAIRPERSON WEISENMILLER: All those in favor?

3 (Ayes)

4 CHAIRPERSON WEISENMILLER: Item 22 passed

5 unaniously. Thank you.

6 MR. FREEMAN: Thank you.

7 CHAIRPERSON WEISENMILLER: Item 23, Minutes. A,

8 possible approval of March 14<sup>th</sup> Business Meeting Minutes.

9 COMMISSIONER DOUGLAS: Move approval.

10 COMMISSIONER PETERMAN: Second.

11 CHAIRPERSON WEISENMILLER: All those in favor?

12 (Ayes)

13 CHAIRPERSON WEISENMILLER: The Minutes from March

14 14<sup>th</sup> are approved.

15 Possible approval of March 28<sup>th</sup>, 2012 Business

16 Meeting Minutes.

17 COMMISSIONER DOUGLAS: Move approval.

18 COMMISSIONER PETERMAN: Second.

19 CHAIRPERSON WEISENMILLER: All those in favor?

20 (Ayes)

21 CHAIRPERSON WEISENMILLER: Those were also

22 approved.

23 Lead Commissioner or Presiding Member reports.

24 COMMISSIONER DOUGLAS: Mr. Chair, I do have a

25 report. This is April 11<sup>th</sup>, today, and that means that

1 those of us who are going to participate in "May as Bike  
2 Month" need to now dust off bikes and make sure that they  
3 are tuned up, to the extent they need to be tuned up, and  
4 begin to hit the road to practice and get into shape in  
5 order to get the most miles possible in May.

6 To give you some idea of how important "May is  
7 Bike Month" has been at the Energy Commission, we won the  
8 medium-sized employer category last year, in "May is Bike  
9 Month." The Energy Commission staff pledged 15,688 miles  
10 and road 13,780 miles, which is 88 percent of the miles we  
11 pledged, and which shows that we are aiming high here. And  
12 I think we're going to do even better this year.

13 Last year the Sacramento area actually created a  
14 new record with the number of miles ridden in May. People  
15 in the Sacramento area logged 1,393,844 miles in total, so  
16 well over a million miles in May.

17 If the number of people I've talked to, to try to  
18 convince them to register for the first time, this May,  
19 makes any difference, we'll do even better this May in the  
20 Sacramento area, as well.

21 In the last couple of years Commissioners have  
22 attempted to help support the tremendous effort that the  
23 Energy Commission always puts on in "May is Bike Month" by  
24 issuing a challenge from the dais that we will buy a drink  
25 for anyone who rides more miles for us in May.

1           So this year, for the second year that I've done  
2 it and the third year running that a Commissioner has done  
3 it, I'm prepared to issue that challenge. You should know  
4 that I'm going to pledge 600 miles, which shouldn't concern  
5 you because my chances of actually doing that are not as  
6 high as I'd like. But that's going to be my pledge and I'm  
7 going to try to get at least 88 percent of those, if not  
8 100 percent of those.

9           Last year, 84 people in the Energy Commission  
10 participated in "May is Bike Month." As I think I said,  
11 they rode 13,780 miles and they -- you know, we were not  
12 exceeded in miles by any employer of a similar size in the  
13 Sacramento region. We beat out REI, which has a lot of  
14 people who obviously like outdoor sports and bikes, so I  
15 think we do pretty well.

16           So, anyway, this is a -- you know, we're  
17 registered, so people at the Energy Commission can start  
18 getting online today and registering under the Energy  
19 Commission, start getting out on the road. Let's add up  
20 those miles, let's do better than last year.

21           And I'm looking at our Executive Director and  
22 Chief Counsel because maybe they'll be joining me in some  
23 rides to and from Davis, and also at my colleagues on the  
24 dais. Because while you may not be interested in pledging  
25 huge numbers of miles of course people can register and

1 ride modest amounts of miles, and that helps us in our  
2 overall total as well. So, thank you.

3 COMMISSIONER PETERMAN: Commissioner Peterman  
4 here, a couple of updates. One, Commissioner Douglas,  
5 thank you for your enthusiasm about "May is Bike Month."  
6 Based on your enthusiasm I commit to at least triple  
7 whatever was last May, which was zero, as a novice bike  
8 rider.

9 (Laughter)

10 COMMISSIONER PETERMAN: But I have been getting  
11 out on the bike once a month for a mile or two and training  
12 to build up to a goal for May. I'll think about my  
13 commitment, but I think I'm willing to go on a reach here  
14 and say maybe 25 miles for May, which would be more than  
15 ever for me.

16 And I will encourage others, I know who are much  
17 better riders, to take on the challenge as well.

18 I also wanted to share with everyone that as a  
19 part of the 2012 IEPR we're developing a renewable  
20 strategic plan and really to identify some real actionable  
21 items that the different stakeholders in the State can take  
22 in order to move us closer to our renewable goals.

23 And we'll be having a number of workshops  
24 associated with this plan. And we have one tomorrow, April  
25 12<sup>th</sup>, starting at 9:00 a.m. here, in Hearing Room A, and

1 there will be WebEx, and the public is welcome.

2 The topic is "Evaluating Benefits of Renewable  
3 Energy for California," with a specific focus on some of  
4 the non-energy benefits that may come from some renewables,  
5 such as a fire hazard reduction and would welcome your  
6 engagement.

7 The next one after that is April 30<sup>th</sup>, where we'll  
8 be looking at impacts of climate change on the California  
9 Energy System. And we'll be holding a number of workshops  
10 in May and June, and so please consult our website for the  
11 schedule. And I'll be sure at each Business Meeting to  
12 give a heads up about some of the workshops that are  
13 pending. So, looking forward to working with you all on  
14 this.

15 CHAIRPERSON WEISENMILLER: Yeah, I was just going  
16 to give a brief update on the summer of 2012 issues.

17 As I mentioned earlier, San Onofre Two and Three  
18 are down. They will stay down until it's very clear what  
19 the root cause is of the excessive wear in the steam  
20 generators of both plants.

21 The phenomena are exhibited in different  
22 fashions. Two seems to be wearing of the supports, while  
23 in three it seems to be more on the length of the tubes.  
24 So it's probably, again, a similar phenomenon, it gets to  
25 questions of is it differences in the manufacturing,

1 design, the operation, the shipping, what causes that.

2           The NRC staff has done an extensive investigation  
3 on that and they will have a hearing at -- or a workshop at  
4 San Onofre in May, early May, to talk about the results of  
5 their assessment.

6           If the current hypothesis is correct, as I said,  
7 we may see them back online, at least one of them in June.  
8 The NRC took what was an unusual step of saying that it has  
9 to approve the restarts. It's the region administrator has  
10 to approve the restarts of those units.

11           In terms of not having those, the impacts are  
12 most significant in San Diego, as opposed to the L.A.  
13 Basin, and it affects the ability to import power from the  
14 L.A. Basin into San Diego.

15           And if you think about the San Diego Basin, there  
16 is some local generation, certainly SONGS, or San Onofre is  
17 one of the key generating units in Orange County. And the  
18 only other generating unit in Orange County is Huntington  
19 Beach.

20           And in terms of -- so, you have power flowing in  
21 and also power flowing in from the east on either Sunrise  
22 or the Southwest Power Link. We're trying to accelerate  
23 the Southwest Power Link and bring that online. And we're  
24 also trying to upgrade the Barre-Ellis Line, which would  
25 enhance some of the ability to input power from the L.A.

1 Basin into San Diego.

2 But, generally, we need to bring back Huntington  
3 Beach Three and Four to allow power to flow into San Diego,  
4 and we're also looking at demand response opportunities,  
5 conservation opportunities in San Diego, or Orange County  
6 as, again, ways to deal with the issues down there.

7 I think part of it is always, you know, we have  
8 to be on our alert for different surprises or contingencies  
9 as we go forward. And as I said, we should be able to make  
10 but, you know, if we were to have say fires along the  
11 transmission lines into San Diego, and they were to be  
12 knocked out, one or both of those, it would really be very  
13 significant. It's definitely one of those situations where  
14 we'd all need to be alert and thinking proactively about  
15 what we're going to do about the issues there, particularly  
16 in San Diego.

17 So with that note, Chief Counsel's report.

18 EXECUTIVE DIRECTOR OGLESBY: Thank you,  
19 Commissioners, I do have a brief report today. First of  
20 all, Commissioner Douglas, I biked in on Monday. And I  
21 will accept your challenge, we'll see about the 600 miles,  
22 though.

23 I am considering proposing, though, that they  
24 give double miles to those of us who commute from Davis  
25 because, as you know, there always seems to be a headwind

1 on the causeway no matter which direction you're biking,  
2 and what time of day it is. So, we'll face that as it  
3 comes, I suppose, but looking forward to the challenge.

4 On a more serious note, I wanted to update the  
5 Commission on a new protocol that I've just initiated with  
6 the Dockets Office, specifically with regard to serving  
7 documents on the Chief Counsel.

8 The background on this is there are three  
9 regulations in Title 20, they're Section 1231, Section  
10 1720, and Section 2506, and they require the Chief Counsel  
11 and the Commission to take specific actions on specific  
12 types of proceedings in a very short amount of time.

13 And as such, for these proceedings to be  
14 initiated they require service of documents specifically on  
15 the Chief Counsel. 1231 is a complaint or a request for  
16 investigation; 1720 is a petition for reconsideration of a  
17 Commission decision or order; and 2506 is a petition to  
18 inspect or copy confidential records.

19 The problem has been that there has been no  
20 formal mechanism to actually file with the Chief Counsel or  
21 serve documents on the Chief Counsel, leaving it ambiguous  
22 for the public about how to get me those documents and  
23 whether or not it's adequate to leave it with one of my  
24 staff members, or the Public Advisor, or something like  
25 that.

1           So what I have done now, in consultation with the  
2 Public Advisor, and I very much appreciate Jennifer's  
3 support on this, is we've created a new form. I have  
4 formally designated the Dockets Office as my agent for  
5 receiving service of these types of documents for all  
6 cases.

7           And so whenever somebody wants to file one of  
8 these documents, to obtain service on the Chief Counsel all  
9 they need to do is pick up this form at the Dockets window.  
10 It will be prominently displayed online, and they can e-  
11 mail it in as well, or they can cut and paste the pertinent  
12 portions of it into an e-mail.

13           And as soon as this form is docketed with the  
14 document, it will be deemed served on me on that day. So  
15 there will be no more ambiguity about when something has  
16 come in the door and when something is effective.

17           It's a relatively simple form, a copy here.  
18 We'll be sending a note to all staff pretty soon. But as I  
19 said, WebWorks has been a wonderful partner in this as  
20 well. Jon Matthews is currently working to find a good  
21 place for this online, where it's publicly visible, and  
22 also finding out a way to make it easily fill-outable  
23 online. So, we appreciate both WebWorks and the Public  
24 Advisor's partnership on this.

25           CHAIRPERSON WEISENMILLER: Thank you. Executive

1 Director's report?

2 EXECUTIVE DIRECTOR OGLESBY: I think I'll be good  
3 for about 200 miles in "May is Bike Month." We'll see if  
4 we can exceed that, and probably a side benefit is you've  
5 motivated the staff at REI with your comments.

6 I just have a very short statement to make and it  
7 is that, as you've observed, this has been a very critical  
8 month for ARRA funding. I wanted to observe that we've  
9 successfully concluded the Appliance Rebate Program. On  
10 April 30<sup>th</sup>, we anticipate successfully concluding the SEP  
11 program, and we're working very hard to wrap up the Block  
12 Grant Program, as you observed.

13 We had Items 8 through 11, and Item 21 all  
14 dedicated to our active management and aggressive  
15 management of the ARRA funds to make sure no funds are  
16 wasted in California, and also make sure no funds revert to  
17 the Federal government, and that they're utilized fully.

18 It's involved a lot of work and I just wanted to  
19 observe on the record that, and this is not a comprehensive  
20 list, but certainly the work of Drew Bohan, Randy Roesser,  
21 John Butler, and Marcia Smith, and among many others that I  
22 can't take the time to mention. It has been above and  
23 beyond the call of duty here, it's taken a great deal of  
24 long hours and intensive work to get to this point where  
25 we're reaching the end of the line and it looks like we're

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1 going to finish the programs very successfully. So, I  
2 wanted to acknowledge them publicly today. Thanks.

3 CHAIRPERSON WEISENMILLER: Great, thanks.  
4 Public Advisor report?

5 PUBLIC ADVISOR JENNINGS: Thank you, I have  
6 nothing to report.

7 CHAIRPERSON WEISENMILLER: Public comment?  
8 Okay, this meeting is adjourned. Thank you.

9 (Whereupon, at 11:50 a.m., the Business  
10 Meeting was adjourned.)

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