

AGENDA

ORANGE COUNTY POWER AUTHORITY MEETING OF THE LEGISLATIVE AND REGULATORY COMMITTEE

**Friday, September 8, 2023
10:00 a.m.**

This meeting will proceed as an in-person meeting at the **Travelers Building, 3333 Michelson Dr., Irvine, CA 92612 in the Palm Room**. In addition, as a convenience to the public, the Orange County Power Authority is also providing an option for members of the public to remotely view and participate in the meeting. Further details are below. Please note that, in the event of a technical issue causing a disruption in the remote participation option, the meeting may continue unless otherwise required by law.

Note: Any member of the public may provide comments to the Committee on any agenda items by requesting to speak during Item 4, or on any matter not appearing on the agenda but within the jurisdiction of the Committee by requesting to speak during Item 5. When providing comments to the Committee, it is requested that you provide your name and city of residence for the record. Commenters are requested to address their comments to the Committee as a whole through the Chair. Comments may be provided in the following manner:

To provide comments during the meeting, in-person attendees, please fill out the public speaker slip and provide it to the clerk at the beginning of the meeting. Before Items 4 and 5, the Chair or Clerk will ask members of the public to join the queue to provide public comment. The queue will remain open for a reasonable amount of time to allow members of the public sufficient time to request to speak and inform the Committee of the number of speakers. After such time, the queue will be closed and the members of the public who have joined the queue to speak will be recognized at the appropriate time may speak. To join the queue on Zoom video conference by computer or mobile phone, use the “Raise Hand” feature. If joining the meeting using the Zoom dial-in number, you can raise your hand and join the queue by pressing *9. Members of the public will not be shown on video but will be able to speak when called upon.

Comments shall generally be limited to three minutes when speaking, provided that the Chair may equally reduce each speaker’s time to accommodate a large number of speakers or a large number of agenda items. If you have anything that you wish to be distributed to the Committee, please provide it via comments@ocpower.org, who will distribute the information to the Members.

The public may participate using the following remote options:

ZOOM WEBINAR

Please click the link below to join the webinar:

[Launch Meeting - Zoom](#)

Dial-in: 1-669-900-6833

Webinar ID: 827 5431 4426

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS ON AGENDA ITEMS**

Opportunity for members of the public to address the Committee on any items on the agenda.

5. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Opportunity for members of the public to address the Committee on any items not on the agenda but within the jurisdiction of the Committee.

6. **COMMITTEE MEMBER ANNOUNCEMENTS**

Committee Members may briefly provide information to other members of the Committee and the public, ask questions of staff, or report on conferences, events, or activities related to Authority business. There is to be no discussion or action taken on comments made by Committee Members unless authorized by law.

7. **CONSENT CALENDAR**

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Legislative and Regulatory Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Legislative and Regulatory Committee request specific items be removed from the Consent Calendar.

1. **MINUTES FOR THE LEGISLATIVE AND REGULATORY
COMMITTEE MEETING OF APRIL 7, 2023**

Recommended Action:

Approve as submitted.

8. **REGULAR CALENDAR**

The following items call for discussion or action by the Committee. The Committee may discuss and/or take action on any item listed below if the Committee is so inclined.

1. **LEGISLATIVE UPDATE**

Recommended Action:

Receive and file.

2. **REGULATORY UPDATE**

Recommended Action:

Receive and file.

9. **ADJOURNMENT**

Compliance with the Americans with Disabilities Act

OCPA meetings comply with the protections and prohibitions of the Americans with Disabilities Act. Individuals with a disability who require a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may contact 949-263-2612. Requests for disability-related modifications or accommodations require different lead times and should be provided at least 72-hours in advance of the public meeting.

Availability of Documents

Copies of the agenda and agenda packet are available at www.ocpower.org. Late-arriving documents related to a Committee meeting item which are distributed to a majority of the Committee prior to or during the Committee meeting are available for public review as required by law. Public records, including agenda-related documents, can be requested electronically at clerk@ocpower.org or by mail to 15642 Sand Canyon Avenue, P.O. Box 54283, Irvine, CA 92619-4283. The documents may also be posted at the above website. Such public records are also available for inspection, by appointment, at 3349 Michelson Drive, Suite 200, Irvine, CA 92612. Please contact clerk@ocpower.org to arrange an appointment.



**MINUTES
REGULAR MEETING
LEGISLATIVE AND REGULATORY COMMITTEE
ORANGE COUNTY POWER AUTHORITY
Friday, April 7, 2023**

1. CALL TO ORDER

Chair Jung called to order the Regular Meeting of the Legislative and Regulatory Committee at 10:30 a.m. on Wednesday, April 7, 2023.

2. PLEDGE OF ALLEGIANCE

Chair Jung led the Pledge of Allegiance.

3. ROLL CALL

Present:	Chair Fred Jung	City of Fullerton
	Director Jose T. Castañeda	City of Buena Park

4. PUBLIC COMMENTS ON AGENDA ITEMS

None

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

6. COMMITTEE MEMBER ANNOUNCEMENTS

None

7. REGULAR CALENDAR

1. ADOPT 2023 CALENDAR

Action Taken:

Director Castañeda made the motion, seconded by Chair Jung to adopt the 2023 Meeting Calendar as follows: June 2, 2023, September 8, 2023, and November 3, 2023 at 10:00 a.m.

The motion carried unanimously by the following vote:

Ayes:	Chair Jung, Director Castañeda
Noes:	None
Absent:	None

2. LEGISLATIVE UPDATE

Management Analyst, Steven Halligan, provided a summary of the presentation on this item.

Director Castañeda provided his suggestions on the various legislation.

Action Taken:

Received and Filed.

3. REGULATORY UPDATE

Management Analyst, Steven Halligan, provided a summary of the presentation on this item.

Action Taken:

Received and Filed.

8. ADJOURNMENT

There being no further business to come before the Committee, Chair Jung adjourned the meeting at 11:35 a.m. The next OCPA Legislative and Regulatory Regular meeting will be on June 2, 2023.

Submitted by:

Pat Jacquez-Nares, Board Authority Secretary

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 8.1

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Regulatory and Legislative Manager

Subject: LEGISLATIVE UPDATE

Date: September 8, 2023

RECOMMENDED ACTION

Receive and file.

BACKGROUND

AB 1373 (Garcia) - Energy Reliability Budget Trailer Bill

Assembly Bill (AB) 1373 provides the Department of Water Resources (DWR) authority to act as a centralized procurement entity (CPE) until January 1, 2030. It also requires the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) to assess capacity payments for load-serving entities (LSEs) and local publicly owned electric utilities (POUs) that are deficient in their reliability obligations until June 30, 2027. Lastly, it authorizes the CPUC additional enforcement and subsequent penalty authority over the LSE's integrated resource plans (IRP).

SB 867 (Allen) and AB 1567 (Garcia) - Climate Bonds

Senate Bill (SB) 867 (Allen) and AB 1567 (Garcia) would enact a Bond Act, which approved by the voters, which would authorize the issuance of bonds in the amount of \$15.5-\$16 billion to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Both bills propose \$2 billion in funding for Clean Energy. The breakdown of how the money would be allocated differs in each bill. A summary of the \$2 billion for Clean Energy is below.

SB 867 (Allen)	AB 1567 (Garcia)
Clean Energy: <u>\$2 billion</u>. Funding proposed as follows: • \$500 million to support planning and development of new or expanded high-voltage electrical transmission lines that are necessary to meet the state’s clean energy goals as identified CAISO. No dispersing agency has been identified. • \$500 million to the CEC for grants to assist in obtaining federal grants related to regional hubs as defined by IIJA and IRA. • \$500 million to the CEC for zero-emission vehicle charging infrastructure. • \$500 million to the CEC for grants to support the LDES program.	Clean Energy: <u>\$2 billion</u>. Funding proposed as follows: • \$750 million to the Infrastructure and Economic Development Bank (I-Bank) for clean energy transmission projects. • \$500 million to the CEC for grants to assist in obtaining, or as a match fund for, federal grants related to regional hubs in the IIJA and IRA. • \$250 million to the CEC for zero-emission vehicle charging infrastructure in disadvantaged communities, with a priority on investments in the California-Mexico border region. California tribal governments shall be eligible for infrastructure funding. • \$500 million to the CEC for projects that expand or modernize the distribution grid to meet clean energy needs and electrification load growth, including new substations, modifications to existing substations to increase capacity or resiliency, reconductoring, community microgrids, and adding new circuits. California tribal governments shall be eligible for infrastructure funding.

FISCAL IMPACT

None

ATTACHMENTS

Attachment A – 2023-24 Legislation Matrix

Measure	Author	Topic	Sort Topic	Summary	Hearing Date	Location
<u>AB 914</u>	Friedman	CEQA streamlining for interconnection	Distribution Planning	Exempt from CEQA certain electrical infrastructure projects intended to provide capacity or enhance reliability to accommodate the increased electrical demand + two-year agency review shot clock	TBD	SEN - Appr.
<u>AB 1513</u>	Calderon	Wildfire bonds	Affordability			2 year bill
<u>AB 1567</u>	Garcia	Bonds for wildfire + other utility expenses	Affordability	Authorizes \$2 billion in funding for clean energy projects, as follows	TBD	Sen - Policy
<u>AB 982</u>	Villapudua	Public Utilities Public Purpose Program Funds	Affordability	Creates Public Utilities Public Purpose Programs Fund to fund FERA/CARE + PPP programs		2 year bill
<u>SB 867</u>	Allen	Bonds for wildfire + other utility expenses	Affordability	Authorizes \$2 billion, upon appropriation by the Legislature, for clean energy programs	TBD	Asm - Natural Resources
<u>SB 572</u>	Stern	Ratepayer protection	Affordability	Requires joint agencies to consider additional requirements to protect ratepayers from price spikes, stranded assets, duplication of services, and the risk of windfall profiteering and market manipulation.	8/16/2023	Asm - Appr.
<u>AB 625</u>	Aguiar-Curry	Forest Biomass Waste Utilization Program	Bioenergy			2 year bill
<u>AB 678</u>	Alvarez	Biomethane procurement targets or goals: core transport agents	Bioenergy		8/14/2023	Sen - Appr.
<u>SB 488</u>	Alvarado-Gil	Authorize CCAs to procure bioenergy for capacity	Bioenergy	Authorize the cumulative rated generating capacity to be procured from bioenergy projects regardless of when the projects commence operations + authorize CCAs to procure any portion of a POU's required cumulative rated generating capacity from bioenergy projects capacity from bioenergy projects that was not procured because of the exemption described above.		2 year bill
<u>AB 998</u>	Connolly	Biomass energy facilities: State Energy Resources Conservation and Development Commission: report	Biomass		7/10/2023	Sen - Appr.
<u>AB 1348</u>	Grayson	Brown Act spot bill (AMENDED TO NOT BROWN ACT)	Brown Act		TBD	SEN - Appr.
<u>AB 1379</u>	Papan	Brown Act teleconferencing	Brown Act	Expands teleconferencing abilities for CCAs		<u>2 year bill</u>
<u>AB 557</u>	Hart	Extends Brown Act public meetings waivers	Brown Act		TBD	Sen Floor
<u>AB 817</u>	Pacheco	Open meetings: teleconferencing: subsidiary body	Brown Act	This bill would authorize a subsidiary body to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.		2 year bill
<u>SB 411</u>	Portantino	Brown Act teleconferencing	Brown Act	Can continue teleconferencing under Brown Act	TBD	<u>Asm - Appr.</u>
<u>SB 537</u>	Becker	Brown Act teleconferencing	Brown Act	Brown act spot bill: expands local government's access to hold public meetings through teleconferencing and remote access.	TBD	<u>Asm - Appr.</u>

<u>AB 593</u>	Haney	Zero-emission buildings	Buildings	This bill would require the commission, on or before June 1, 2024, to identify an emission reduction strategy, with milestones, for the building sector to support achieving those carbon emissions reduction goals, as provided. The bill would require the commission, on or before July 1, 2025, to implement the emission reduction strategy as a part of the Equitable Building Decarbonization Program and to take certain actions for purposes of implementing the strategy.	8/14/2023	<u>SEN - Appr.</u>
<u>SB 306</u>	Caballero	Building decarbonization: Extreme Heat Action Plan	Buildings	<i>Makes changes to the direct install program that was funded in the 2022-23 state budget. The goal appears to be providing great direction on the use of the funds and directing more to underrepresented populations.</i>	8/16/2023	<u>Asm - Appr.</u>
<u>SB 48</u>	Becker	Water and Energy Savings Act	Buildings	This bill would require the Energy Commission and the State Water Resources Control Board, in consultation with the State Air Resources Board, Public Utilities Commission, and Department of Housing and Community Development, on or before July 1, 2026, to jointly develop a strategy for using the energy and water usage data described above to track and manage the energy and water usage and emissions of greenhouse gases of covered buildings in order to achieve the state's goals, targets, and standards related to energy and water usage and emissions of greenhouse gases of covered buildings, as specified. The bill would authorize the Energy Commission and the State Water Resources Control Board, upon appropriation, to jointly establish energy and water usage building performance standards consistent with the strategy. The bill would require the Energy Commission and State Water Resources Control Board to triennially evaluate the progress of the strategy in achieving improvements in energy and water efficiency and reducing the emissions of greenhouse gases and evaluate the impacts of the strategy on disadvantaged communities, as specified.	TBD	<u>Asm - Appr.</u>
<u>SB 610</u>	Wiener	CEC reporting	CEC	CEC chair must report annually to leg		<u>2 year bill</u>
<u>SB 664</u>	Stern	CEC IEPR deman forecasting	CEC	This bill would require the Energy Commission ensure that the demand forecasts in the integrated energy policy report account for multiday extreme and atypical weather events and include, at a minimum, one-in-10-year, one-in-20-year, and one-in-40-year peak demand forecasts.	TBD	<u>Asm - Appr.</u>
<u>SB 149</u>	Caballero	Gov office's trailer bill langauge streamlining CEQA for renewable energy projects	CEQA			<u>Signed by Governor</u>
<u>AB 1623</u>	Muratsuchi	Energy spot bill	Clean Energy Resources	Spot bill to accelerate deployment of clean energy resources, bolster electrical grid reliability, and support achievement of the state's clean energy and climate change goals .		<u>2 year bill</u>
<u>AB 1533</u>	Garcia	Definition of DERs	DERs	Changes definition of "ultraclean and low-emission distributed generation"	TBD	<u>Sen - Policy</u>
<u>AB 1664</u>	Friedman	DER plan enhacements	DERs	DER plans must better incorporate resiliency and cost effectiveness		<u>2 year bill</u>
<u>AB 547</u>	Alanis	Distribution of energy resources	DERs	Spot bill		<u>2 year bill</u>

<u>AB 691</u>	Ting	Public Utilities Commission: energy efficiency programs: report	EE	PUC must report biennially on ratepayer-funded energy efficiency programs		<u>2 year bill</u>
<u>AB 1198</u>	Grayson	GO-Biz: Equity in energy task force	Equity	Establishes within GO-Biz the Equity in Energy Task Force with members as defined. The bill would require the task force to develop a comprehensive strategy aimed at addressing equity in the energy industry	8/14/2023	<u>SEN - Appr.</u>
<u>AB 1374</u>	Alvarez	Increases GGRF money to disadvantaged communities	Equity			<u>2 year bill</u>
<u>AB 487</u>	Ting	Low-income energy programs: assessment	Equity	The PUC must make assessment biennially of the needs of low-income ratepayers to evaluate low-income program implementation and the effectiveness of weatherization services and energy efficiency measures in low-income households		<u>2 year bill</u>
<u>SB 527</u>	Min	Equitable decarb program	Equity	CPUC must create and Equitable Zonal Decarbonization Program for a small-scale community-targeted decarbonization program to ensure rate affordability, dedicated and prioritized funding for disadvantaged and low-income customers, and the development of high road jobs and workforces.		<u>2 year bill</u>
<u>SB 529</u>	Gonzalez	EV ride share for affordable housing	Equity	CEC must create a grant program to facilitate EV sharing services, as defined, operated at permanent affordable multifamily housing properties		<u>2 year bill</u>
<u>SB 57</u>	Gonzalez	Legislation aimed at prohibiting the shut off of utility service during extreme weather events.	Extreme Weather	Intent legislation		<u>2 year bill</u>
<u>AB 326</u>	Alanis	Geothermal resources	Geothermal	Spot bill		<u>2 year bill</u>
<u>AB 1358</u>	Muratsuchi	Creates joint agency to reach renewable energy goals	GHGs	Creates joint agency Tracking Energy Development Taskforce to develop policy recommendations to achieve the state's renewable energy goals		<u>2 year bill</u>
<u>AB 1373</u>	Garcia	Vehicle for the BCP	GHGs	Vehicle for the BCP	TBD	<u>Sen - RLS.</u>
<u>AB 287</u>	E. Garcia	GGRF Funds: competitive grants: funding objectives	GHGs	Amending GGRF to pull more money into SD and Imperial Counties.		<u>2 year bill</u>
<u>AB 397</u>	Essayli	Global Warming Solutions Act: scoping plan	GHGs	Requires the scoping plan to include GHG limits due to wildlands and forest fires.		<u>2 year bill</u>
<u>AB 585</u>	Rivas	CARB spot bill	GHGs		8/14/2023	<u>Sen - Appr.</u>
<u>AB 849</u>	E. Garcia	Community emissions reduction programs	GHGs	Require the air district, in adopting a community emissions reduction program, to consult with other relevant state agencies.	8/14/2023	Sen - Appr.
<u>AB 9</u>	Muratsuchi	Global Warming Solutions Act; emissions limit	GHGs	Requires statewide GHG emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.		2-year bill
<u>SB 12</u>	Stern	California Global Warming Solutions Act: Emissions Limit	GHGs	Requires statewide GHG emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.		2 year bill
<u>SB 253</u>	Weiner	GHG reporting	GHGs	Requires large companies in CA to report GHG emissions	8/16/2023	Asm - Appr.
<u>SB 261</u>	Stern	GHG reporting	GHGs	Facilitates that report to CARB must also prepare a climate-related financial risk report and measures to reduce financial risk.	8/16/2023	Asm - Appr.
<u>SB 511</u>	Blakespear	CARB report on GHG emissions	GHGs	CARB must report on greenhouse gas emission inventories for the calendar year 2025 for each city, county, city and county, and special district,	TBD	Asm - Appr.
<u>AB 324</u>	Pacheco	Renewable hydrogen	Hydrogen	Directs the CPUC to consider establishing a renewable hydrogen procurement goal.		2-year bill

<u>AB 673</u>	Bennett	Hydrogen-fueling stations: preference	Hydrogen			2 year bill
<u>AB 1293</u>	Irwin	Electrical corporations: interconnection	Interconnection - EV	125 business day shot clock for EV energization	TBD	Sen - Appr.
<u>AB 50</u>	Wood	Energy demand; communication	Interconnection - Load	Require a public utility to furnish and maintain timely service, instrumentalities, equipment, and facilities; require CPUC by January 1, 2025, to determine the criteria for timely service for electric customers that meets specified requirements; pending CPUC determination, requires each large electrical corporation to make a good faith effort to deliver electric service within 90 day; allows bill credits for customer when commitment isn't kept.	8/14/2023	<u>Sen - Appr.</u>
<u>SB 83</u>	Wiener	Legislation aimed at requiring public utility companies to provide comments on postentitlement phase permit applications and connect new construction to the electrical grid within specified timeframes.	Interconnection - Load	IOUS must interconnect a development project within 8 weeks of project becoming "interconneccion ready"; allows extension if specific issues prevent interconnection with c ompensation at 25 cents/sq ft; requires IOU shareholders to bear cost of compensation		<u>2 year bill</u>
<u>SB 410</u>	Becker	Utility distribution and intervconnection planning and cost recovery	Interconnection - Load	Establishes working group by March 1, 2024 to propose process improvements to inform IOUs of needed distriubtion system capacity increases; IOUs must provide data to the PUC on the response time to provide upgraded electrical service to customers for electrification upgrades in buildings, panel upgrades, solar installations, or electric vehicle chargers; requires report on staffingand training; require planning to consider transportation and building electrification and local government plans related to same; requires PUC to allow costs for interconnection of residential buildings that exceed the IOUs allowances to be treated as a common facility cost recovered from all ratepayers	TBD	Asm - Appr.
<u>AB 643</u>	Berman	Interconnection DER shot clock	Interconnection -DER	CPUC reports and penalizes IOU delays to DER interconnection. IOUs must be more responsive to interconnection inquiries (within 3 business days)		2 year bill
<u>AB 1172</u>	Calderon	Nuclear fusion	Nuclear	Requires CEC to evaluate fusion, fusion energy, aneutronic fusion, experimental fusion, and fusion power plant production as a part of the 2025 IEPR	TBD	Sen - Appr.
<u>AB 65</u>	Mathis	Procurement from nuclear fission thermal power plants	Nuclear	Requires CPUC before January 1, 2026, to adopt a plan to increase procurement from nuclear facilities and to phase out procurement from gas facilities		2 year bill
<u>AB 3</u>	Zbur	Offshore wind spot bill	Offshore Wind	Requires CEC to report to the legislature by July 1, 2025 on procurement mechanisms and strategies for offshore wind energy projects to be financed, entitled, constructed and operated within timeframes necessary to meet goals; requires CEC and State Lands do develop plan for seaport readiness and report to the legislature by January 1, 2026; requires CEC and GoBiz to study feasibility of achieving 70% to 85% in-state assembly and manufacturing of offshore wind energy projectsby July 1, 2027	8/14/2023; moved to suspense file	<u>Sen - Appr.</u>

<u>AB 344</u>	Wood	Offshore wind procurement	Offshore Wind	Spot bill to be used to address OSW once the AB 525 report is released; permits joint procurement agreements for offshore wind facilities		2 year bill
<u>AB 80</u>	Addis	Offshore Wind Coastal Protection Act	Offshore Wind	Establishes West Coast Offshore Wind Science Entity to ensure monitoring of California ocean ecosystem	8/14/2023	<u>Sen - Appr.</u>
<u>SB 286</u>	McGuire	Offshore Wind	Offshore Wind	Requires CEC to process a consolidated coastal development permit for new development for offshore wind; makes State Lands lead agency for CEQA for OSW; establish CA OSW Fisheries Working Group; requires working group re compensatory mitigation for unavoidable impacts on commercial and recreational fisheries from OSW; creates fund to compensate	TBD	<u>Asm - Appr.</u>
<u>SB 422</u>	Portantino	CEQA streamlining for interconnection	Permitting	Specified agencies to perform environmental analysis of reasonably foreseeable methods of compliance; imposes labor requirements on use of focused EIR to install pollution control equipment; imposes labor requirements for projects consisting solely of compliance with a performance standard or treatment requirement	8/16/2023	Asm - Appr.
<u>SB 56</u>	Skinner	LSE; IRP	Procurement	Spot bill		
	Valencia	PUC rules on ex parte	PUC	Allows written communications during quiet period if served on service list		
<u>AB 1538</u>	Muratsuchi	RA incentive payments to LSEs	RA	PUC must establish a Clean Energy Reliability Program to provide incentive payments to LSEs that exceed their capacity requirements.		2 year bill
<u>AB 995</u>	Ting	Electricity: resource adequacy requirements: reporting	RA	Requires LSEs including CCAs to report biannually (instead of annually) the % of local and system RA requirements from the previous calendar year that was met with zero carbon capacity.		2 year bill
<u>AB 1429</u>	Boerner Horvath	Rates/charges	Rates	spot bill	4/19/2023	2 year bill
<u>AB 538</u>	Holden	Multistate regional transmission system organizations: membership	Regionalization	Prohibits CA electrical transmission owner, retail seller, or POU from joining multistate regional transmission system organization unless organizational documents meet FERC and specified state requirements as determined by CEC		2 year bill; LegCom Voted 5/26 to Support moving to Board
<u>AB 1132</u>	Friedman	Solar energy systems: permit fees.	Solar	Extends until January 1, 2034 limit on permit fees a city or county may charge for residential or commercial solar	TBD	SEN - Floor
<u>AB 1181</u>	Zbur	Multifamily Affordable Housing Solar Roofs program: bill credits	Solar	Require bill credits for all participating accounts that participate; design tariff structure reduce barriers to the installation of solar energy storage technology; allow for participant choice of virtual net metering or direct metering.		2 year bill
<u>AB 1238</u>	Ward	Hazardous waste: solar panels	Solar	Requires Toxic Substances to develop alternative PV management standards	TBD	2 year bill
<u>AB 2</u>	Ward	Recycling solar photovoltaic modules	Solar	Requires PV manufacturers to develop end of life management plan for recycling of solar PV	8/14/2023; moved to suspense file	Sen - Appr.

<u>AB 704</u>	Patterson	Energy: building standards: photovoltaic requirements	Solar	Requires residential construction intended to repair, restore, or replace a residential building damaged or destroyed as a result of a disaster proclaimed by the Governor to comply only with requirements regarding PV pursuant to the regulations, if any, that were in effect at the time the damaged or destroyed residential building was originally constructed		2 year bill
<u>SB 355</u>	Eggman	Multifamily Affordable Housing Solar Roofs program	Solar	Modifies requirements re income level eligibilty	8/16/2023	<u>Asm - Appr.</u>
<u>SB 49</u>	Becker	Tax incentives; Solar Canopies	Solar	Provides gross receipts tax exemption for the construction of solar canopies; requires DOT, CEC, CPUC to develop strategic plan to lease and license DOT ROW to utilities or other entities building and operating renewable generation, energy storage, and electric transmission	TBD	Asm - Appr.
<u>SB 38</u>	Laird	Battery storage; safety systems	Storage	Require battery energy storage facility to have emergency response plan and evacuation plan that covers its area	TBD	<u>Asm - Appr.</u>
<u>SB 605</u>	Padilla	Wave/tidal energy	Tidal energy	Requires CEC to study and develop strategic plan for deployment of wave energy and tidal technologies; written report to Gov and Leg by January 1, 2025; requires CEC to solicit applications for pilot projects; requires inclusion of technology in SB 100 joint agency reports	8/16/2023	<u>Asm - Appr.</u>
<u>SB 319</u>	McGuire	Electrical transmission	Transmission	Spot bill	8/16/2023	<u>Asm - Appr.</u>
<u>SB 420</u>	Becker	Streamline transmission facilities	Transmission	Requires a lead agency to monitor clean energy and electrical transmission facility planning and deployment, and identify facilities necessary to maintain system reliability, and streamline them.	TBD	<u>Asm - Appr.</u>
<u>SB 619</u>	Padilla	Transmission	Transmission	Would expand the facilities eligible to be certified by the commission to include electrical transmission lines carrying electricity from certain other facilities that are located in the stateif capital spend is at lease \$250 million	TBD	<u>Asm - Appr.</u>
<u>AB 1182</u>	Petrie-Norris	Clean energy deployment plan.	Transportation		8/14/2023	Sen - APPR.
<u>AB 1267</u>	Ting	Zero-emission vehicle incentive programs: diesel and gasoline superusers	Transportation			2 year bill
<u>AB 1349</u>	Irwin	Transportation electrification: grant recipients: data reporting	Transportation	Require recipients of grants for ZEV charging stations to collect data on the status of their stations and to submit that data to a publicly accessible application.		2 year bill
<u>AB 1504</u>	McCarty	EV charging zoning	Transportation	This bill would provide that EV charging station includes EV charging stations installed in the public right-of-way and EV charging stations installed with a battery storage system.		2 year bill
<u>AB 1525</u>	Bonta	ZEV equity	Transportation	Spot bill to promote equity first in transportation funding and to prioritize funding to vulnerable communities.		2 year bill
<u>AB 1529</u>	Gabriel	ZEV charing stations	Transportation	Spot bill to convert gas stations to EV charging stations		2 year bill
<u>AB 1580</u>	Carillo	Develop a State Electric Vehicle Infrastructure Deployment Plan that is consistent with federal requirements	Transportation			2 year bill
<u>AB 1614</u>	Gabriel	Study possibilities of transitioning gas stations to EVs	Transportation		8/14/2023	Sen - APPR.

<u>AB 241</u>	Reyes	Clean Transportation Program	Transportation	Intent legislation. Bill will focus on extension of AB 8, Clean Transportation Program	TBD	Passed Appropriations
<u>AB 463</u>	Hart	Electricity: prioritization of service: public transit vehicles	Transportation	CPUC must consider the economic, social equity, and mobility impacts of a temporary discontinuance in electrical service to the customers that rely on electrical service to operate public transit vehicles.		2 year bill
<u>AB 579</u>	Ting	Schoolbuses: zero-emission vehicles	Transportation	Require, commencing January 1, 2035, 100% of all newly purchased or contracted schoolbuses of a school district, county office of education, or charter school to be zero-emission vehicles, where feasible.	8/14/2023	Sen - APPR.
<u>AB 591</u>	Gabriel	Electrical vehicle service equipment: universal connectors and public accessibility	Transportation	Require an electric vehicle charging station that requires payment of a fee to allow a person desiring to use the station to pay via credit card		2 year bill
<u>AB 6</u>	Friedman	ZEVs	Transportation	Spot bill to prioritize and fund transportation projects that significantly contribute towards the goals outlined in a region's sustainable communities strategy and the state's climate goals.		2 year bill
<u>AB 772</u>	Jackson	Electric vehicle chargers	Transportation	Requires IOUs + POUs after 2024 to install an EV charger at a homeowner's property within a reasonable time. The PUC will establish accounts to track moneys allocated to IOUs and POUs for that purpose.		
<u>AB 980</u>	Friedman	Active Transportation Program: guidelines: hearings	Transportation			2 year bill
<u>SB 222</u>	Nguyen	Electric Bikes	Transportation	Intent language on electric bike regulations. Could potentially be looking to expand regulations on e-bikes.		<u>2 year bill</u>
<u>SB 233</u>	Skinner	ZEV charging	Transportation	All EV supply equipment sold in California have bidirectional capability by 2027	TBD	<u>Asm - Appr.</u>
<u>SB 30</u>	Umberg	ZEV signage	Transportation	Spot bill to develop light-duty ZEV charging station signage along state highways and a publicly accessible online platform that identifies the locations of EV charger along state highways.	TBD	Asm - APPR.
<u>SB 397</u>	Wahab	EV chargers	Transportation	Spot bill on EV chargers at rest stops		<u>2 year bill</u>
<u>SB 493</u>	Min	MD/HD infrastructure assesment	Transportation	CEC must create assessment of the electric and hydrogen infrastructure needed to meet the stated MD/HD deadlines.	TBD	Asm - Appr.
<u>SB 507</u>	Gonzalez	ZEV goal assesment	Transportation	CEC must asses whether EV charging infrastructure is enough needed for state goals, and evaluate equitable deployment.		2 year bill
<u>SB 823</u>	Smallwood-Cuevas	EV charger discount card	Transportation	PUC must create an IOU Discounted Electric Vehicle Charging Payment Card Program for residents to use at public EV chargers in order to pay a rate equivalent if they were using an at-home EV charger		<u>2 year bill</u>
<u>SB 84</u>	Gonzalez	Clean Transportation Program	Transportation	Intent legislation. Bill will focus on extension of AB 8, Clean Transportation Program	6/1/2023	Ordered to inactive file on request of Senator Gonzalez.
<u>AB 1155</u>	Flora	Vegetation Management	Wildfire Mitigation	Requires standards for vegetation inspection in veg management plans; establishes rebuttable presumption that meeting those standards means standard of care is met (!)	4/24/2023	2 year bill

<u>AB 1195</u>	Calderon	Community grants for climate projects and workforce	Workforce	Creates Climate Change Preparedness, Resiliency, and Jobs for Communities Program to fund grants to develop and implement multibenefit, community-level, climate-beneficial projects to support community and landscape resiliency and workforce development		2 year bill
<u>AB 735</u>	Berman	Workforce development: utility careers	Workforce			2 year bill
<u>SB 822</u>	Durazo	Ensuring labor for state renewable energy and transportation	Workforce	Instill policies and programs to create or support high-quality jobs in the energy, resources, and transportation sectors; reqiores state agencies to incorporat high road employment requirements in procurement processes and incentives by November 1, 2024	TBD	Asm - Appr.
AB 100-AB 221		Budget Bills		Spot bill		
SB 100-SB 220		Budget Bills				

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 8.2

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Regulatory and Legislative Manager

Subject: REGULATORY UPDATE

Date: September 8, 2023

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Orange County Power Authority (OCPA) staff are monitoring several ongoing regulatory proceedings at the California Public Utilities Commission (CPUC). A brief description of the proceeding and any current status updates are provided below.

Income-Graduated Fixed Charge Proposals

On April 7, 2023 Southern California Edison Company, Pacific Gas and Electric Company, and San Diego Gas & Electric Company (the Joint IOUs), filed joint testimony describing their Income-Graduated Fixed Charge Proposals.¹

The Joint IOUs' proposal combines an Income Graduated Fixed Charge (IGFC) with lower volumetric rates on all residential rate schedules. This change comes after the passage of Assembly Bill 205 which removed the statutory language requiring default residential rates to be almost exclusively charged on a volumetric basis.

The proposal creates four household Income Brackets: 1) CARE customers with incomes less than 100% of the Federal Poverty level (FPL), 2) Remaining CARE and FERA customers, 3) Non-CARE or FERA customers with incomes up to or equivalent to 650% of FPL, and 4) Non-CARE customers with incomes above 650% of FPL.

Households with incomes less than \$28,000 a year would pay a \$15 monthly fee in SCE territory, households earning between \$28,000 and \$69,000 a year would pay \$20, households earning \$69,000 to \$180,000 would pay \$51, and those earning more than \$180,000 would pay \$85.

¹ <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/energy-division/documents/demand-response/demand-response-workshops/advanced-der---demand-flexibility-management/joint-iou-opening-testimony-exhibit-1.pdf>

In a ruling issued June 19 by the CPUC administrative law judge assigned to the case, it is expected that the earliest that the income-graduated fixed charge will be implemented in customer rates is the end of 2026.

ERRA Compliance, ERRA Forecast and General Rate Case (GRC)

Energy Resource Recovery Account (ERRA) Compliance applications are filed annually by the IOUs for review of costs associated with Utility Owned Generation (UOG) operations and fuel procurement, Portfolio Allocation Balancing Account (PABA) entries, economic dispatch of electric resources, and contract administration. IOUs are required to demonstrate compliance with CPUC decisions and the California Public Utilities Code. SCE Compliance Intervenor Testimony is due December 15, 2023.

ERRA Forecast Applications are filed annually by IOUs to forecast energy procurement-related revenue requirements, which includes forecast allocation of costs across PCIA vintages. SCE Intervenor Testimony is due August 8, 2023.

In four-year cycles, IOUs submit General Rate Case (GRC) applications for authority to adjust rates and charges for electric and gas service based on a future Test Year (TY). The revenue requirements include electric and gas distribution system costs, administrative expenses, and customer service costs.

Affordability – R.18-07-006

The proceeding was opened in 2018 to establish processes for assessing and increasing the affordability of utility service. The CPUC has addressed metrics and methodologies for assessing affordability. The proceeding is currently in Phase 3, considering strategies to limit/mitigate future energy rate increases. Phase 3 Proposed Decision is expected in Fall 2023.

BioMAT – R.22-10-010

The CPUC issued an Order Instituting Rulemaking (OIR) on October 20, 2022 to implement Assembly Bill (AB) 843 authorizing CCAs to participate in the Bioenergy Market Adjusting Tariff (BioMAT) program. AB 843 amended Public Utilities Code section 399.20 to extend to CCAs within an electrical corporation's service territory the existing renewable feed-in tariff for qualifying bioenergy electric generation facilities. A Proposed Decision will be issued by September 27, 2023.

Demand Flexibility – R.22-07-005

The CPUC issued an OIR on July 22, 2022 to advance customer demand flexibility through electric rates to support reliability, decarbonization, and affordability. Phase 1 Scoping Memo and Ruling, dated November 2, 2022, set forth the schedule for Phase 1 of the proceeding, including two tracks for (1) establishing an income-graduated fixed charge for residential rates (Track A), and (2) streamlining the adoption of demand flexibility rates for IOUs (Track B).

Within Track B, Energy Division has formed two working groups. Working Group (WG) 1 will address demand flexibility rate design, including incorporation of wholesale market prices into

demand flexibility price signals. The guidelines established in WG 1 will inform the IOUs' rate design applications in the California Energy CPUC (CEC) Load Management Standards (LMS) proceeding. WG 2 will address the systems and processes necessary for customer access to prices to respond to price signals. To be considered in WG 2 are the systems and processes necessary to enable unbundled customers to take service on dynamic prices. Key to implementing widespread dynamic pricing is the establishment of one or more price machine(s) to compile the real-time prices with inputs from the LSEs and the CAISO market. Also being discussed are "transactive platforms" to allow parties to transact to avoid potential volatility associated with dynamic prices. The Working Groups are also discussing subscription services to allow customers to subscribe to real-time pricing, but with guardrails to protect customers from wide price swings.

Integrated Resource Planning (IRP) – R.20-05-003

The IRP proceeding considers the CPUC's electric procurement policies and programs to ensure safe, reliable, and cost-effective electricity supply. The proceeding evaluates system, local, and flexible reliability needs ten years out, authorizes procurement, and reviews LSEs' procurement plans. The next cycle of IRP will begin shortly.

Provider of Last Resort (POLR) – R.21-03-011

The CPUC issued a Scoping Memo and Ruling on September 16, 2021 to set forth the scope in the POLR proceeding. This proceeding implements the POLR requirements and framework directed by SB 520. The POLR proceeding will be considered in three phases. Phase 1 will focus on issues necessary to establish a comprehensive framework for existing POLRs. Phase 2 will set rules that allow a different entity to be designated as the POLR. Phase 3 may be opened to consider any additional issues not covered in Phase 1 or 2. A Proposed Decision is expected in October 2023.

Renewable Portfolio Standard (RPS) R.18-07-003 / Voluntary Allocation and Market Offer (VAMO)

The Assigned Commissioner and Assigned ALJ issued a Ruling on May 5, 2023 identifying issues and schedule of review for 2023 RPS procurement plans. Pursuant to the Ruling, draft annual RPS procurement plans are due on July 17, 2023. Reply comments on draft RPS Plans are due August 29, 2023.

FISCAL IMPACT

None

ATTACHMENTS

None