

AGENDA

ORANGE COUNTY POWER AUTHORITY MEETING OF THE LEGISLATIVE AND REGULATORY COMMITTEE

**Friday, April 7, 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: 876 0795 4784

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. **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. **ADOPT 2023 CALENDAR**

Recommend Action:

Adopt 2023 Calendar.

2. **LEGISLATIVE UPDATE**

Recommend Action:

Receive and file.

3. **REGULATORY UPDATE**

Recommend Action:

Receive and file.

8. **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 315642 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.

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 7.1

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Management Analyst

Subject: ADOPT 2023 CALENDAR

Date: April 7, 2023

RECOMMENDED ACTION

Adopt 2023 Calendar

BACKGROUND

After an extensive review of holidays, and meeting dates and times of member agencies, staff recommend Legislative and Regulatory Committee meetings be held at 10:00 a.m. on the dates below. These dates were chosen to reduce any conflicts with other meetings and holidays.

Friday, June 2, 2023
Friday, September 8, 2023
Friday, November 3, 2023

FISCAL IMPACT

None

ATTACHMENTS

None

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 7.2

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Management Analyst

Subject: LEGISLATIVE UPDATE

Date: April 7, 2023

RECOMMENDED ACTION

Receive and file.

BACKGROUND

The California Legislature reconvened on January 4, 2023. The deadline to introduce legislation was February 17, 2023. 2,834 bills were introduced. Orange County Power Authority (OCPA) staff are currently tracking and analyzing 99 pieces of legislation. The Legislature is on recess from March 30 to April 10. The last day for fiscal bills to pass out of policy committees is April 28, 2023. The last day for non-fiscal bills to pass out of policy committees is May 5, 2023. June 2, 2023 is the deadline for bills to pass out of their original house.

Of the 99 bills being tracked they can be broken into the following categories: Affordability/Rates (6), Energy (12), Brown Act (4), Equity (5), Greenhouse Gas (12), Interconnection (5), Solar (6), Transportation (23), and Other (26). The other category includes legislation on the topics of Buildings, California Energy Commission (CEC), Energy Efficiency (EE), Distributed Energy Resource (DER), Public Utilities Commissions (PUC), Storage, and Transmission.

A summary of all 99 bills is attached as Attachment A.

FISCAL IMPACT

None

ATTACHMENTS

Attachment A – 2023-24 Legislation Matrix

Bill	Author	Title	Topic	Summary	Status
AB 982	Villapudua	Public Utilities Public Purpose Program Funds	Affordability	Creates Public Utilities Public Purpose Programs Fund to fund FERA/CARE + PPP programs	Ref. to Comm.
AB 1513	Calderon	Wildfire bonds	Affordability	This bill would, in addition to capital expenditures related to wildfires, authorize the use of bonds secured by a rate component for recovery of wildfire mitigation efforts, operational and maintenance expenses related to an electrical corporation’s wildfire mitigation plan, wildfire risk mitigation costs, and vegetation management costs and expenses.	Ref. to Comm.
AB 1567	Garcia	Bonds for wildfire + other utility expenses	Affordability	Issues \$4.1B for bond to cover wildfire, water, drought, flood, heat mitigation	Ref. to Comm.
SB 867	Allen	Bonds for wildfire + other utility expenses	Affordability	Issues bond to cover wildfire, water, drought, flood, heat mitigation	Ref. to Comm.
SB 572	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.	Ref. to Comm.
AB 625	Aguiar-Curry	Forest Biomass Waste Utilization Program	Bioenergy	This bill would require the PUC to continue the BioMAT program until implementation of the provisions authorizing community choice aggregators to participate in the program has been resolved as specified, and adequate time is given to community choice aggregators to participate in the program.	Ref. to Comm.
AB 678	Alvarez	Biomethane procurement targets or goals: core transport agents	Bioenergy	This bill would require the commission to consider adopting specific biomethane procurement targets or goals for each gas corporation and core transport agent, as defined.	Ref. to Comm.
SB 488	Alvarado-Gil	California Renewables Portfolio Standard Program: bioenergy projects: community choice aggregators	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.	Ref. to Comm.
AB 998	Connolly	Biomass energy facilities: State Energy Resources Conservation and Development Commission: report	Biomass	Would require the commission, on or before December 31, 2024, to issue a report on the utility-scale biomass combustion facilities still in operation as of January 1, 2024. The bill would require the report to include an assessment various assessments.	Ref. to Comm.

2023/2024 California Legislation

AB 557	Hart	Open meetings: local agencies: teleconferences	Brown Act	This bill would extend the abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.	Ref. to Comm.
AB 817	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.	Ref. to Comm.
SB 411	Portantino	Brown Act teleconferencing	Brown Act	Can continue teleconferencing under Brown Act	Ref. to Comm.
SB 537	Becker	Brown Act teleconferencing	Brown Act	This bill would authorize certain legislative bodies to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would also require a legislative body to provide a record of attendance on its internet website within 7 days after a teleconference meeting, as specified. The bill would define “legislative body” for this purpose to mean a board, commission, or advisory body of a multijurisdictional cross county agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the act. The bill would also define “multijurisdictional” to mean a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity.	Ref. to Comm.
AB 593	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.	Ref. to Comm.

SB 48	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.	Ref. to Comm.
SB 306	Caballero	Building decarbonization: Extreme Heat Action Plan	Buildings	This bill would require the office and the Natural Resources Agency, on or before July 1, 2024, and every 3 years thereafter, in consultation with relevant state agencies, to update the Extreme Heat Action Plan, as defined, to promote comprehensive, coordinated, and effective state and local government action on extreme heat, as provided. The bill would require the Extreme Heat Action Plan and subsequent updates to be posted on the internet website of the office and provided to the relevant fiscal and policy committees of the Legislature. The bill would require all state agencies identified in the Extreme Heat Action Plan to collaborate with the office and the agency to assist in the implementation of the plan and subsequent updates and post on their internet websites a summary of actions they have taken to implement the plan and subsequent updates.	Ref. to Comm.
AB 1181	Zbur	Multifamily Affordable Housing Solar Roofs Program	Buildings	This bill would require, for eligible common areas and for tenant units that are separately metered, benefitting accounts, rather than low-income tenants, that participate in the program to receive credits on utility bills from the program. The bill would require the commission to ensure that electrical corporation tariff structures affecting the qualified multifamily affordable housing properties participating in the program reduce barriers to the installation of solar energy storage technologies.	Ref. to Comm.
SB 610	Laird	CEC reporting	CEC	CEC chair must report annually to legislature	Ref. to Comm.
SB 664	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.	Ref. to Comm.

2023/2024 California Legislation

SB 422	Portantino	California Environmental Quality Act: expedited environmental review: climate change regulations	CEQA	This bill would also require those specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance. By imposing additional requirements on air districts, this bill would impose a state-mandated local program.	Ref. to Comm.
AB 547	Alanis	Distribution of energy resources	DERs	Spot bill	Ref. to Comm.
AB 1533	Garcia	Definition of DERs	DERs	Changes definition of "ultraclean and low-emission distributed generation"	Ref. to Comm.
SB 57	Gonzalez	Disconnection of residential service	Disconnection	This bill would require an electrical corporation, local publicly owned electric utility, gas corporation, local publicly owned gas utility, water corporation, or local agency that owns a public water system to postpone the disconnection of a customer's residential service for nonpayment of a delinquent account when the temperature will be 32 degrees Fahrenheit or cooler, or 95 degrees Fahrenheit or warmer, within the utility's service area during the 24 hours after that service disconnection would occur, as specified.	Ref. to Comm.
AB 691	Ting	Public Utilities Commission: energy efficiency programs: report	EE	PUC must report biennially on ratepayer-funded energy efficiency programs	Ref. to Comm.
AB 487	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	Ref. to Comm.
AB 1198	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	Ref. to Comm.
AB 1374	Alvarez	Increases GGRF money to disadvantaged communities	Equity	Existing law requires the investment plan to allocate, among other things, a minimum of 25% of the available moneys in the fund to projects located within, and benefiting individuals living in, disadvantaged communities and an additional minimum of 5% of projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities located anywhere in the state.This bill would increase those amounts from 25% to 50% and from 5% to 15%.	Ref. to Comm.

2023/2024 California Legislation

SB 527	Min	Neighborhood Decarbonization Program	Equity	This bill would require the Public Utilities Commission, in consultation with gas corporations, to develop and supervise the administration of the Neighborhood Decarbonization Program to facilitate the cost-effective decarbonization of targeted natural gas zones with the intent to provide benefits that include, but are not limited to, reduced emissions of greenhouse gases and air pollution, increased safety, and the maintenance of rate affordability for California gas customers, and to decommission gas assets in zones with the highest community burdens and those that would result in the highest projected ratepayer cost savings	Ref. to Comm.
SB 529	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	Ref. to Comm.
AB 326	Alanis	Geothermal resources	Geothermal	Spot bill	From Printer
AB 1623	Muratsuchi	Electricity: resource adequacy requirements: energy storage	GHG and Reliability	This bill would require the commission, or before June 30, 2024, and as part of a new or existing proceeding, to revise the net qualifying capacity and effective flexible capacity methodologies for energy storage resources, as specified.	Ref. to Comm.
AB 9	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.	Ref. to Comm.
AB 287	E. Garcia	GGRF Funds: competitive grants: funding objectives	GHGs	Amending GGRF to pull more money into SD and Imperial Counties.	Ref. to Comm.
AB 397	Essayli	Global Warming Solutions Act: scoping plan	GHGs	Requires the scoping plan to include GHG limits due to wildlands and forest fires.	Ref. to Comm.
AB 585	Rivas	California Global Warming Solutions Act of 2006: literature review and progress report	GHGs	This bill would request the CCST, in its discretion, every 2 years, to perform a literature review, including source materials, to assess the infrastructure project types, scale, and pace necessary to achieve the quantities of renewable energy, and the distribution and transmission networks necessary, to achieve the state's energy, climate change, and air quality goals, as specified.	Ref. to Comm.
AB 849	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.	Ref. to Comm.
AB 1358	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	Ref. to Comm.
AB 1373	Garcia	Energy: firm zero-carbon resources	GHGs	Pushes back due date for joint agency report on firm zero-carbon resources	Ref. to Comm.
SB 12	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.	Ref. to Comm.
SB 253	Weiner	GHG reporting	GHGs	Requires large companies in CA to report GHG emissions	Ref. to Comm.

2023/2024 California Legislation

SB 261	Stern	GHG reporting	GHGs	Facilities that report to CARB must also prepare a climate-related financial risk report and measures to reduce financial risk.	Ref. to Comm.
SB 511	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,	Ref. to Comm.
AB 324	Pacheco	Renewable hydrogen	Hydrogen	Directs the CPUC to consider establishing a renewable hydrogen procurement goal.	Ref. to Comm.
AB 673	Bennett	Hydrogen-fueling stations: preference	Hydrogen	This bill would, except for the Clean Transportation Program and moneys allocated from the Alternative and Renewable Fuel and Vehicle Technology Fund, require the commission, when considering providing funding for projects for the construction and operation of hydrogen-fueling medium- and heavy-duty stations, to evaluate whether the project needs to also include access for light-duty vehicles. In this evaluation, the bill would require the commission to consider safety, regional light-duty vehicle hydrogen fueling needs, and the station fueling capacity.	Ref. to Comm.
AB 914	Friedman	CEQA streamlining for interconnection	Interconnection - Distribution Planning	This bill would exempt from CEQA certain electrical infrastructure projects intended to provide capacity or enhance reliability to accommodate the increased electrical demand or forecasted electrical demand associated with transportation electrification, building electrification, distributed energy projects, including energy storage projects, or the interconnection of a renewable generation source.	Ref. to Comm.
AB 50	Wood	Public utilities: timely service: timely electrical interconnection	Interconnection - Load	This bill would require a public utility to furnish and maintain timely service, instrumentalities, equipment, and facilities. The bill would require the commission, on or before January 1, 2025, to determine the criteria for timely service for electric customers that meets specified requirements. Until the commission determines that criteria, the bill would require each large electrical corporation, among other things, to make a good faith effort to deliver electric service within 90 days of issuing a written commitment to serve for customers seeking a new connection, and within 30 days of issuing a written commitment to serve for customers seeking upgrades to an existing connection. If a large electrical corporation fails to deliver service to a customer by the date communicated on a written commitment to serve, the bill would require the impacted customer to be entitled to a utility bill credit, as specified.	Ref. to Comm.
SB 83	Wiener	Electrical distribution grid: interconnection	Interconnection - Load	IOUs must interconnect a development project within 8 weeks of receiving a notification from project. IOU must annually report to the commission the number of applications for interconnection and the time period. IOU must compensate a development project applicant for failing to meet the 8-week time period.	Ref. to Comm.

2023/2024 California Legislation

SB 410	Becker	Powering Up Californians Act	Interconnection - Load	This bill, the Powering Up Californians Act, would require the PUC to establish a working group on or before March 1, 2024, as provided, to, among other things, propose processes that would improve the ability of utilities, which the bill would define as electrical corporations that operate electrical distribution systems, to be informed well in advance of needed increases in distribution system capacity for future housing developments, building electrification, electric vehicle charging infrastructure, and other activities that require increased distribution system capacity. The bill would require the PUC to establish, on or before September 30, 2024, reasonable average and maximum target interconnection time periods, as defined, and certain reporting requirements so that utility performance can be tracked and improved, as provided. The bill would require the PUC to require a utility to take any remedial actions necessary to achieve the PUC's targets and would require all utility reporting to be publicly available, among other reporting requirements.	Ref. to Comm.
AB 643	Berman	Interconnection DER shot clock	Interconnection - DER	CPUC reports and penalizes IOU delays to DER interconnection. IOUs must be more responsive to interconnection inquiries.	Ref. to Comm.
AB 65	Mathis	Nuclear generation facilities	Nuclear	This bill would require the PUC, on or before January 1, 2026, to adopt a plan to increase the procurement of electricity generated from nuclear facilities and to phase out the procurement of electricity generated from natural gas facilities.	Ref. to Comm.
AB 1172	Calderon	Nuclear fusion	Nuclear	Agencies report to leg analyzing the feasibility of using commercially viable nuclear fusion.	Ref. to Comm.
AB 3	Zbur	Offshore wind energy: reports	Offshore Wind	This bill would require the commission to consult with specified entities and prepare a report, to be submitted to the Governor and the Legislature on or before July 1, 2025, that identifies potential alternatives, analyzes, and makes recommendations regarding procurement mechanisms and procurement strategies for offshore wind energy projects to be financed, entitled, constructed, and operated within the timeframes necessary for meeting the state's carbon neutrality goals	Ref. to Comm.
AB 80	Addis	Coastal resources: ocean research: West Coast Offshore Wind Science Entity	Offshore Wind	This bill would require the council, upon an appropriation by the Legislature, to establish and oversee, in coordination with other unspecified state agencies, a West Coast Offshore Wind Science Entity for the purpose of ensuring that comprehensive baseline monitoring of the California ocean ecosystem as well as targeted research are available and used to inform state and federal decisions, as provided. The bill would require the entity to perform specified functions, including reviewing and incorporating existing research, monitoring, and data standardization.	Ref. to Comm.
AB 344	Wood	Offshore Wind	Offshore Wind	Spot bill	From Printer
SB 286	McGuire	Offshore Wind energy projects	Offshore Wind	This bill would require the commission to process a consolidated coastal development permit for any new development that requires a coastal development permit and that is associated with, appurtenant to, or necessary for the construction and operation of offshore wind energy projects and transmission facilities needed for those projects.	Ref. to Comm.
SB 56	Skinner	LSE; IRP	Procurement	Spot bill	From Printer

2023/2024 California Legislation

AB 1068	Valencia	PUC rules on ex parte	PUC	Lessens ex parte rules on Commisioner staff meetings and written communications	Ref. to Comm.
AB 995	Ting	Electricity: resouce adequacy requirements: reporting	RA	Requires LSEs including CCAs to report biannully (instead of anually) the % of local and system RA requirements from the previous calendar year that was met with zero carbon capacity.	Ref. to Comm.
AB 1538	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.	Ref. to Comm.
AB 1429	Boerner Horvath	Rates/charges	Rates	This bill would require the commission, in a new or existing proceeding, to evaluate the energy usage estimation methodologies and mechanisms of electrical corporations and gas corporations in order to correct inaccurate energy usage estimates.	Ref. to Comm.
AB 538	Holden	Multistate regional transmission system organizations: membership	Regionalization	This bill would prohibit a California electrical transmission facility owner, a retail seller of electricity, or a local publicly owned electric utility from joining a multistate regional transmission system organization, as defined, unless the bylaws or other organizational documents that govern the organization, and the organization's operations, meet Federal Energy Regulatory Commission requirements and other specified requirements.	Ref. to Comm.
AB 1664	Friedman	Self-generation incentive program: block grant	SGIP	This bill would require, as part of administering the funds used to provide incentives to eligible residential customers, the commission to establish a block grant structure for eligible entities, as defined, to apply for grants on behalf of residential households to increase the resiliency of residential households, as specified. The bill would require the commission, in determining the block grant funding criteria, to consider and prioritize one or more specified requirements.	Ref. to Comm.
AB 2	Ward	Recycling solar photovoltaic modules	Solar	This bill would require a manufacturer of solar photovoltaic panels sold or offered for sale in this state, or its agent, to develop an end-of-life management plan for the management and recycling of the solar photovoltaic panels it manufactured and the component materials.	Ref. to Comm.
AB 704	Patterson	Energy: building standards: photovoltaic requirements	Solar	This bill, until January 1, 2027, would require residential construction intended to repair, restore, or replace a residential building damaged or destroyed as a result of a disaster in an area in which a state of emergency has been proclaimed by the Governor to comply only with requirements regarding photovoltaic systems pursuant to the regulations, if any, that were in effect at the time the damaged or destroyed residential building was originally constructed and would not require that construction to comply with any additional or conflicting photovoltaic system requirements in effect at the time of repair, restoration, or replacement.	Ref. to Comm.

2023/2024 California Legislation

AB 1132	Friedman	Solar energy systems: permit fees.	Solar	Existing law, for purposes of governing property rights, defines a “solar energy system” as specified to include any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating. Existing law prescribes and limits permit fees that a city or county may charge for a residential and commercial solar energy system. Existing law repeals these provisions on January 1, 2025. This bill would extend that repeal date to January 1, 2034.	Ref. to Comm.
AB 1238	Ward	Hazardous waste: solar panels	Solar	This bill would require the department to develop alternative management standards for managing photovoltaic modules.	Ref. to Comm.
SB 49	Becker	Tax incentives; Solar Canopies	Solar	Legislation to provide tax incentives for the construction of solar canopies over large parking lots to boost the local generation of clean electricity in urban and suburban areas while reducing the need for dedicated land in rural areas and transmission to deliver the clean energy into population centers.	Ref. to Comm.
SB 355	Eggman	Multifamily Affordable Housing Solar Roofs Program	Solar	This bill would limit the applicability of the requirement that low-income tenants who participate in the program receive credits on utility bills to units that are separately metered. If the development has at least 45% of units reserved for tenants in extremely low-income households and is master-metered, the bill would specify that those direct economic benefits to low-income tenants may include providing housing.	Ref. to Comm.
SB 38	Laird	Battery energy storage facilities: emergency response and evacuation plans	Storage	This bill would require each battery energy storage facility in the state to have an emergency response plan and an evacuation plan that covers the area of the battery energy storage facility.	Ref. to Comm.
SB 605	Padilla	Wave/tidal energy	Tidal energy	This bill would require the Energy Commission and the Ocean Protection Council, on or before February 1, 2024, to commence a comprehensive, collaborative study to evaluate the feasibility and benefits of using wave energy and tidal energy, as specified.	Ref. to Comm.
SB 319	McGuire	Electrical transmission planning	Transmission	This bill would require the Energy Commission, PUC, and Independent System Operator to coordinate and implement a joint workplan through specified proceedings and other resource planning activities led by the Energy Commission, and to agree on principles for forecast cases and a single recommended forecast set and use it consistently in transmission planning and resource procurement cycles to the extent possible.	Ref. to Comm.
SB 420	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.	Ref. to Comm.
SB 619	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 state, regardless of whether the electricity is carried to a point of junction with any interconnected electrical transmission system	Ref. to Comm.

2023/2024 California Legislation

AB 1293	Irwin	Transportation electrification: service energization timeline	Transportation	This bill would require each electrical corporation to develop an electric vehicle service energization timeline to ensure that customers with electric vehicle charging infrastructure are connected to the electrical grid within 125 business days.	Ref. to Comm.
AB 6	Friedman	Solutions for Congested Corridors Program: reduction of greenhouse gas emissions	Transportation	This bill would instead require a metropolitan planning organization, within 120 business days after adoption, to submit an adopted sustainable communities strategy or an alternative planning strategy, if applicable, to the state board for both review and approval. The bill would instead require that the state board's review include acceptance or rejection of the metropolitan planning organization's determination described above. The bill would require the state board to complete its review within 180, instead of 60, business days.	Ref. to Comm.
AB 241	Reyes	Clean Transportation Program: Air Quality Improvement Program: funding	Transportation	This bill would expand the purpose of the program to include developing and deploying innovative technologies that transform California's fuel and vehicle types to help reduce criteria air pollutants and air toxics.	Ref. to Comm.
AB 463	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.	Ref. to Comm.
AB 579	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.	Ref. to Comm.
AB 591	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	Ref. to Comm.
AB 772	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.	Ref. to Comm.
AB 980	Friedman	Active Transportation Program: report	Transportation	This bill would require an applicant that receives funding under the program for a project to, within one year of completing the project, submit a report to the commission describing how the project met active transportation goals.	Ref. to Comm.
AB 1182	Petrie-Norris	Energy: GO-Biz	Transportation	This bill would require GO-Biz to take specified actions to align state incentives with federal funds awarded in the Inflation Reduction Act (IRA) and the Infrastructure Investment and Jobs Act (IIJA), including that GO-Biz identify opportunities to cofund grants that meet the state's climate goals, post federal IRA and IIJA grants, tax incentives, or other opportunities on their internet website, and collaborate with state agencies to maximize awards to projects in the state.	Ref. to Comm.

2023/2024 California Legislation

AB 1267	Ting	Zero-emission vehicle incentive programs: diesel and gasoline superusers	Transportation	The bill would require the state board, on or before January 1, 2025, to develop and implement a strategy to, among other things, identify the drivers who are gasoline superusers and are low or moderate income and expedite the replacement of the vehicles of those drivers, as specified.	Ref. to Comm.
AB 1349	Irwin	Zero-emission vehicle charging stations: open data portal.	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.	Ref. to Comm.
AB 1504	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.	Ref. to Comm.
AB 1525	Bonta	Transportation Agency: allocations for projects in priority populations.	Transportation	This bill would require the agency, on and after July 1, 2024, to ensure that at least 60% of the moneys allocated for agency, Department of Transportation, or California Transportation Commission projects, as defined, are allocated for projects that are located in priority populations, as defined, address an important need of priority populations, and provide at least 5 direct, meaningful, and assured benefits, or additional cobenefits, to priority populations, as specified.	Ref. to Comm.
AB 1529	Gabriel	ZEV charging stations	Transportation	This bill would require the commission to identify potential financial and regulatory incentives for gasoline stations to convert to electric vehicle charging stations.	Ref. to Comm.
AB 1580	Carillo	Develop a State Electric Vehicle Infrastructure Deployment Plan that is consistent with federal requirements	Transportation	This bill would require the commission and the Department of Transportation, on or before June 30, 2024, to jointly develop a State Electric Vehicle Infrastructure Deployment Plan that is consistent with federal requirements and guidance provided by the federal National Electric Vehicle Infrastructure Formula Program.	Ref. to Comm.
AB 1614	Gabriel	Study possibilities of transitioning gas stations to EVs	Transportation	This bill would require the state board to conduct a study on how to phase out the existence of gasoline fueling stations by a specified date and the potential incentives that may be required in order to transition those stations into electric vehicle charging stations.	Ref. to Comm.
SB 30	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.	Ref. to Comm.
SB 84	Gonzalez	Clean Transportation Program	Transportation	This bill would expand the purpose of the program to include developing and deploying innovative technologies that transform California’s fuel and vehicle types to help reduce criteria air pollutants and air toxics. The bill would no longer require the commission to provide certain project preferences.	Ref. to Comm.
SB 233	Skinner	ZEV charging	Transportation	This bill would require that, beginning in model year 2027, all new electric vehicles sold in California be bidirectional capable, including light-duty passenger vehicles and school buses, except as exempted by the state board.	Ref. to Comm.

2023/2024 California Legislation

SB 397	Wahab	EV chargers	Transportation	This bill would require the state board, upon appropriation by the Legislature, to establish a program to install and maintain electric vehicle service equipment at safety roadside rests, with the goal of serving at least one-half of the parking spaces, excluding those parking spaces designed for use by a tractor-trailer, at each safety roadside rest in California.	Ref. to Comm.
SB 493	Min	MD/HD infrastructure assesment	Transportation	CEC must create assessment of the electric and hydrogen infrastructure needed to meet the stated MD/HD deadlines.	Ref. to Comm.
SB 507	Gonzalez	ZEV goal assesment	Transportation	CEC must asses whetther EV charging infrastructure is enough needed for state goals, and evaluate equitable deployment.	Ref. to Comm.
SB 823	Smallwood-Cuevas	EV charger discount card	Transportation	PUC myst 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	Ref. to Comm.
AB 735	Berman	Workforce development: utility careers	Workforce	This bill would establish the High Road Utility Careers (HRUC) program, to be administered by the board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities.	Ref. to Comm.
AB 1195	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	Ref. to Comm.
SB 822	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	Ref. to Comm.

ORANGE COUNTY POWER AUTHORITY
Staff Report – Item 7.3

To: Orange County Power Authority Legislative and Regulatory Committee

From: Steven Halligan, Management Analyst

Subject: REGULATORY UPDATE

Date: April 7, 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.

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. A Staff proposal from the CPUC is expected to be released shortly with recommended strategies to mitigate energy rate increases.

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 Prehearing Conference was held on March 10, 2023. A scoping memo and ruling is expected in April 2023 with a proposed decision issued in the third quarter of 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 establishing an income-graduated fixed charge for residential rates (Track A) and 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, and design of demand flexibility rates to enable all load-serving entities (LSE) to have the option to participate. The guidelines established in WG 1 will inform the IOUs' rate design applications in the California Energy Commission (CEC) Load Management Standards (LMS) proceeding. WG 2 will address the systems and processes for accessing prices and responding to price signals. To be considered are the systems and processes necessary to enable unbundled customers to take service on dynamic prices. Also, to be considered is the overlap with the development of demand flexibility rate design tools in the CEC LMS proceeding. On March 1, 2023, Administrative Law Judge (ALJ) Wang released a Proposed Decision Authorizing Funding for Track A of Phase 1 Consulting Services authorizing \$425,000 for third party consulting services relating to the income-graduated fixed charge.

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.

Power Charge Indifference Adjustment (PCIA) - R.17-06-026

The primary focus of the PCIA proceeding is to ensure that when electric customers of the IOUs depart from IOU service to be served by other LSEs (including CCAs), the LSE customers remain responsible for only those costs previously incurred by the IOU on their behalf. The proceeding has two phases: Phase 1 dealt with exemptions from the PCIA for customers who participate in the California Alternate Rates for Energy (CARE) program or are served by medical baseline rates; Phase 2 included three WGs on benchmarking, prepayment, and portfolio optimization. The Assigned Commissioner issued a Second Amended Scoping Ruling on June 24, 2022, setting forth the remaining issues for Phase 2. The ALJ issued a Ruling on March 3, 2023 requesting comments on a supplemental GHG-Free Staff proposal and whether the CPUC should consider additional issues before closing this proceeding.

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 workshop is scheduled for April 4, 2023 to discuss the proposed FSR calculations.

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

The RPS proceeding monitors compliance by "retail sellers," including IOUs, CCAs and ESPs, within the RPS program. Current RPS rules require 60 percent of retail sales to be from RPS-eligible resources by 2030, and at least 65 percent of the procurement a retail seller counts toward

the RPS requirements to be from long-term contracts (ten years or more in duration). In addition, the RPS proceeding is the venue in which the PCIA/RPS Voluntary Allocation and Market Offer (VAMO) is being considered. The IOUs' Advice Letters on the Long-Term Market Offer were approved on February 10, 2023. The IOUs can issue their solicitations any time after March 6, 2023, and bids will be due 35 calendar days after launch.

Resource Adequacy (RA) – R.21-0-002

The OIR for this proceeding set forth the following objectives: to continue the CPUC's oversight of the RA program, to consider broader structural reforms to the program, and to establish RA procurement obligations for LSEs beginning with the 2023 RA year. This proceeding is split into two tracks. The implementation track has considered near term reforms, including the adoption of the local and flexible capacity requirements, reforms to the central procurement entity (CPE) structure, modifications to the planning reserve margin (PRM), and revisions to RA counting. The reform track considers broader structural changes to effectuate a 24-hour slice-of-day framework. On March 3, 2023, the CPUC issued a Proposed Decision on slice-of-day issues the RA Reform Track.

Staff are also monitoring the following proceedings: Building Decarbonization (R.19-01-011), Transportation Electrification (R.18-12-006), Demand Response (DR), Self-Generation Incentive Program (SGIP), Energy Efficiency (EE) (R.13-11-005), Net Energy Metering (NEM) 2.0 –DAC-GT/CS-GT (R.14-07-002), Green Tariff Shared Renewables (GTSR) (A.22-05-022), Distribution Resource Plans and Distribution Upgrades for a High DER Future (R.21-06-017), Distributed Energy Resource (DER) (R.22-11-013), De-Energization (R.18-12-005), Microgrids (R.19-09-009), Net Billing Tariff (NBT) aka NEM 3.0 (R.20-08-020), and Renewable Financing.

FISCAL IMPACT

None

ATTACHMENTS

None