
**SENATE COMMITTEE ON ENERGY, UTILITIES AND
COMMUNICATIONS**

**Senator Steven Bradford, Chair
2023 - 2024 Regular**

Bill No:	SB 610	Hearing Date:	3/21/2023
Author:	Laird		
Version:	2/15/2023	Introduced	
Urgency:	No	Fiscal:	Yes
Consultant:	Sarah Smith		

SUBJECT: State Energy Resources Conservation and Development Commission:
chair: report to the Legislature

DIGEST: This bill requires chair of the California Energy Commission (CEC) to appear annually before the relevant policy committees of the Legislature to report on the CEC's activities.

ANALYSIS:

Existing law:

- 1) Establishes the CEC, consisting of five members appointed by the governor, and specifies the duties of the CEC. Every two years, the governor must designate a chair and vice chair from the CEC's membership. The CEC must appoint a public adviser every three years to carry out certain public engagement duties. (Public Resources Code §25200 et. seq.)
- 2) Requires the CEC to assess trends in energy consumption and analyze the social, economic, and environmental consequences of these trends. The CEC must establish energy conservation measures, including building and appliance energy efficiency standards, and recommend additional conservation measures to the governor and the Legislature. (Public Resources Code §25216)
- 3) Establishes the California Public Utilities Commission (CPUC), consisting of five members appointed by the governor, and authorizes the CPUC to fix rates and establish rules for public utilities. (Article 12 of the California Constitution)
- 4) Requires the CPUC to prepare an annual report on its activities and performance and requires the president of the CPUC to appear annually before the appropriate policy committees of the Legislature to present the report. (Public Utilities Code §§910 and 321.6)

This bill:

- 1) Requires the chair of the CEC to appear annually before the relevant policy committees of the Legislature to report on the CEC's responsibilities, including the following activities:
 - a) Research, development, and demonstration.
 - b) Building and appliance efficiency standards.
 - c) Electricity and natural gas demand forecasts.
 - d) Siting of thermal powerplants.
 - e) Implementation of the Renewables Portfolio Standard (RPS) Program and energy labeling.
 - f) Transportation fuels and alternative fuel vehicles.
- 2) Requires the CEC's chair to report on the CEC's activities from the prior year and efforts taken to solicit input from Californians in diverse parts of the states.
- 3) Requires the CEC's chair to report on the successes and challenges encountered in carrying out its responsibilities and outreach efforts.

Background

The CEC has extensive energy planning and development responsibilities that influence other agencies. Under existing law, the CPUC is the only energy agency required to appear regularly before the Legislature to report on its activities. However, the CEC retains a significant amount of responsibility for energy programs and planning that influence other agencies' activities, including those of the CPUC and the California Independent System Operator (CAISO). Existing law tasks the CEC with a number of duties, including, but not limited to the following:

- Analyzing state demand and supply for electricity and natural gas;
- Administering the RPS program;
- Environmental review and certification of proposed large thermal power plants;
- Establishment of building and appliance efficiency standards that promote energy conservation;
- Coordination and development of zero-emission vehicle (ZEV) technology and infrastructure;
- Managing the largest state-level energy research and development program in the nation; and

- Making recommendations on how to address disadvantaged communities' barriers to greater participation in energy efficiency and renewable energy efforts.

In addition to these activities, the Legislature recently passed legislation, significantly expanding the CEC's role in oversight, planning, and development of energy resources, including resources required for energy sector reliability. These bills include, but are not limited to, the following:

- SB 1322 (Allen, Chapter 374, Statutes of 2022) required the CEC to collect and report specified data regarding refinery costs and gasoline prices.
- SB 846 (Dodd, Chapter 239, Statutes of 2022) extended the operation of the Diablo Canyon Nuclear Power Plant under specified conditions, and requires the CEC prepare certain reliability assessments, adopt goals for shifting peak electricity loads, and prepare a cost-comparison between the extension of Diablo Canyon and other feasible energy resources available between 2024 to 2035.

Changes in the energy sector require greater communication and coordination to ensure reliability, affordability, and safety for consumers. Between the growth in distributed energy resources, increased competition in the electric utility sector, and resource constraints, California has faced several years of energy reliability challenges. The CEC, CPUC, and CAISO each play a critical role in forecasting, planning, and addressing energy demands. Increasingly, policies adopted by one of these agencies will impact the activities of the other energy agencies. For example, the CEC's building and appliance energy efficiency standards may influence utility building decarbonization investments overseen by the CPUC. Greater electrical loads resulting from higher electrification may impact the availability of resources through the CAISO. Despite interrelated impacts between activities undertaken by the CEC, CPUC and CAISO, existing law only requires the CPUC annually appear before the relevant state legislative policy committees. This bill would expand those annual reporting requirements to the CEC.

Prior/Related Legislation

SB 733 (Hueso, 2022) as passed by this committee, was substantially similar to this bill. The bill was subsequently amended into a different subject matter. The bill was held in the Assembly Appropriations Committee

SB 708 (Hueso, 2019) would have required the CAISO to disclose information relating to tariff or rule of conduct violations by market participants or scheduling

coordinators and established other transparency requirements. The bill also would have required the CAISO's Chief Executive Officer to appear annually before the relevant policy committees of the Legislature to report on the CAISO's operations and state of the grid. The bill died in the Assembly.

SB 497 (Bradford, 2019) was substantially similar to this bill and would have required the CEC to appear annually before the appropriate policy committees of the Legislature to report on specified activities. The bill died in the Assembly.

SB 376 (Bradford, 2017) was substantially similar to this bill and would have required the CEC to appear annually before the appropriate policy committees of the Legislature to report on specified activities. The bill died in the Assembly.

SB 1467 (Padilla, 2010) would have made various technical changes to Public Utilities Code and required the chair of the CEC to annually appear before the relevant policy committees of the Legislature. The bill was vetoed.

AB 1735 (Committee on Utilities and Commerce, Chapter 452, Statutes of 2003) established deadlines for certain CPUC proceedings and required the President of the CPUC to annually appear before the relevant policy committees of the Legislature.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT:

None received

OPPOSITION:

None received

ARGUMENTS IN SUPPORT: According to the author:

SB 610 requires the Chair of the California Energy Commission to appear before the Legislature annually. This bill ensures meaningful engagement between the state's primary energy planning entity and the Legislature to facilitate progress towards meeting our clean energy goals. In times of rapidly changing climate, collaboration is more urgent and important than ever to ensure Californian's have access to safe, reliable, and affordable energy.

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