

AMENDED IN SENATE MAY 31, 2011

AMENDED IN SENATE APRIL 26, 2011

SENATE BILL

No. 35

Introduced by Senator Padilla

December 6, 2010

~~An act to repeal Sections 25740, 25740.5, 25742, 25743, 25744, 25744.5, 25746, 25747, 25748, and 25751 of, to repeal, add, and repeal Chapter 7.1 (commencing with Section 25620) of Division 15 of the Public Resources Code, and to repeal Section 399.8 of the Public Utilities Code, and to amend Section 25620.8 of the Public Resources Code, relating to energy.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 35, as amended, Padilla. ~~Energy: California Energy Research and Technology Program Act of 2011. Public Interest Energy Research, Demonstration, and Development Program: report.~~

Existing law requires that specified moneys collected between January 1, 2007, and January 1, 2012, inclusive, from the electrical corporations for public interest energy research, development, and demonstration, and deposited in the Public Interest Research, Development, and Demonstration Fund be used for the purposes of the Public Interest Research, Development, and Demonstration Program. Existing law authorizes the State Energy Resources Conservation and Development Commission, consistent with specified program requirements, to provide awards to any individual or entity for planning, implementation, and administration of energy research and development projects or programs selected for funding under the program pursuant to a competitive bid process. Existing law further requires the commission to prepare and submit to the Legislature an annual report, not later

than March 31 of each year, on awards made pursuant to the program and progress toward achieving specified energy research and development goals, and requires that the report include specified information on award recipients, the amount of awards, the types of projects funded, an evaluation of the success of funded projects, and recommendations for improvements in the program.

This bill would require that the report be prepared and submitted to the Legislature by January 10 of each year, and additionally include information on the extent to which research funds provided under the program have facilitated the receipt of federal funding by award recipients.

~~(1) Under the Public Utilities Act, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. The act requires the PUC to require, until January 1, 2012, an electrical corporation to identify a separate electrical rate component to fund energy efficiency, renewable energy, and research, development and demonstration programs that enhance system reliability and provide in-state benefits. Existing law requires that the moneys collected between January 1, 2007, and January 1, 2012, from the electrical corporations for public interest research, development, and demonstration projects be deposited in the Public Interest Research, Development, and Demonstration Fund and be used for the purposes of the Public Interest Energy Research, Demonstration, and Development Program. Existing law requires that the moneys collected by the electrical corporations for the benefit of in-state operation and development of existing and new and emerging renewable resources technologies be deposited in the Renewable Resource Trust Fund for the purposes of the Renewable Energy Resources Program.~~

~~This bill would repeal those provisions:~~

~~(2) This bill would enact the California Energy Research and Technology Program Act of 2011 (act). The bill would require the State Energy Resources Conservation and Development Commission (Energy Commission) to establish and administer the California Energy Research and Technology program (CERT) to fund research, development, and demonstration projects that may lead to advancement and breakthroughs to overcome those barriers that prevent the achievement of the state's statutory energy goals. The bill would require the Energy Commission to convene, no less than twice a year, meetings of the CERT Coordinating Council consisting of members representing specified entities and would require the council to identify the technological~~

~~challenges that most warranted funding under the CERT and opportunities for joint funding of projects and to make recommendations for avoiding the funding of duplicative projects. The bill would require the Energy Commission to adopt regulations or modify existing regulations to implement the CERT. The bill would require the Energy Commission to consult with the CERT Coordinating Council to establish a process for tracking the progress and outcome of funded projects. The bill would require the Energy Commission to consult with the CERT Coordinating Council and the Treasurer to establish terms that may be imposed as conditions for the receipt of CERT funding. The bill would require the Energy Commission, no later than March 31 of each year to prepare and submit to the Legislature an annual report regarding projects funded by the CERT. The bill would require the Energy Commission, no later than an unspecified date, to contract with an independent entity to review the CERT and require the Energy Commission to report to the Legislature regarding the CERT no later than an unspecified. The bill would repeal the act on an unspecified date.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25620.8 of the Public Resources Code is
 2 amended to read:
 3 25620.8. The commission shall prepare and submit to the
 4 Legislature an annual report, not later than ~~March 31~~ January 10
 5 of each year, on awards made pursuant to this chapter and progress
 6 toward achieving the goals set forth in Section 25620.1. The report
 7 shall include information on the names of award recipients, the
 8 amount of awards, and the types of projects funded, *the extent to*
 9 *which research funds provided under this chapter have facilitated*
 10 *the receipt of federal funding by award recipients*, an evaluation
 11 of the success of funded projects, and recommendations for
 12 improvements in the program. The report shall set forth the actual
 13 costs of programs or projects funded by the commission, the results
 14 achieved, and how the actual costs and results compare to the
 15 expected costs and benefits. The commission shall establish
 16 procedures for protecting confidential or proprietary information

1 and shall consult with all interested parties in the preparation of
2 the annual report.

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, April 26, 2011. (JR11)**

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