

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2271

Introduced by Assembly Member Quirk

February 18, 2016

~~An act to amend Section 388 of the Public Utilities Code, relating to energy.~~ *An act to add Section 713 to the Public Utilities Code, relating to electricity.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2271, as amended, Quirk. ~~Energy efficiency.~~ *Electricity: research programs: peer review.*

Existing law provides the Public Utilities Commission with broad authority over public utilities, including electrical corporations. Existing law requires the commission to convene, or continue, until August 26, 2025, an independent peer review panel to conduct an independent review of enhanced seismic studies and surveys of a certain nuclear powerplant.

This bill would require the commission to establish a procedure for an independent peer review of certain research programs proposed by an electrical corporation for approval by the commission. The bill would require the independent peer review of a proposed research program to be conducted upon the commission's receipt of the proposed program. The bill would require the commission to make available to the public on its Internet Web site the results of the review upon approval of the program.

~~Existing law authorizes any state agency to enter into an energy savings contract with a qualified energy service company for the purchase or exchange of thermal or electrical energy or water, or to~~

acquire energy efficiency services, water conservation services, or both, for a term not exceeding 35 years, at those rates and upon those terms that are approved by the agency.

This bill would make nonsubstantive revisions to this authorization.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.

State-mandated local program: no.

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

1 SECTION 1. Section 713 is added to the Public Utilities Code,
2 to read:

3 713. (a) For purposes of this section, “research programs”
4 means programs for the development of novel and innovative
5 processes that are proposed by electrical corporations for approval
6 by the commission and that would be funded through the rates of
7 ratepayers of the electrical corporations. Research programs do
8 not include programs that are funded pursuant to the Public
9 Interest Energy Research, Demonstration, and Development
10 Program (Chapter 7.1 (commencing with Section 25620) of
11 Division 15 of the Public Resources Code) or the Electric Program
12 Investment Charge program developed pursuant to Section 25711.5
13 of the Public Resources Code.

14 (b) The commission shall establish a procedure for independent
15 peer review of research programs proposed by an electrical
16 corporation. The independent peer review shall be conducted in
17 accordance with the procedure upon the commission’s receipt of
18 a proposed research program.

19 (c) The commission shall make available to the public on its
20 Internet Web site the results of the review upon the approval of
21 the research program.

22 SECTION 1. ~~Section 388 of the Public Utilities Code is~~
23 ~~amended to read:~~

24 ~~388. (a) Notwithstanding any other provision of law, a state~~
25 ~~agency may enter into an energy savings contract with a qualified~~
26 ~~energy service company for the purchase or exchange of thermal~~
27 ~~or electrical energy or water, or to acquire energy efficiency~~
28 ~~services, water conservation services, or both, for a term not~~
29 ~~exceeding 35 years, at those rates and upon those terms that are~~
30 ~~approved by the agency.~~

1 ~~(b) The Department of General Services or any other state or~~
2 ~~local agency intending to enter into an energy savings contract~~
3 ~~may establish a pool of qualified energy service companies based~~
4 ~~on qualifications, experience, pricing, or other pertinent factors.~~
5 ~~Energy service contracts for individual projects undertaken by any~~
6 ~~state or local agency may be awarded through a competitive~~
7 ~~selection process to individuals or firms identified in such a pool.~~
8 ~~The pool of qualified energy service companies and contractors~~
9 ~~shall be reestablished at least every two years or shall expire.~~

10 (e) For purposes of this section, the following definitions apply:

11 (1) ~~“Energy savings” means a measured and verified reduction~~
12 ~~in fuel, energy, or water consumption when compared to an~~
13 ~~established baseline of consumption.~~

14 (2) ~~“Qualified energy service company” means a company with~~
15 ~~a demonstrated ability to provide or arrange for building or facility~~
16 ~~energy auditors, selection and design of appropriate energy savings~~
17 ~~measures, project financing, implementation of these measures,~~
18 ~~and maintenance and ongoing measurement of these measures as~~
19 ~~to ensure and verify energy savings.~~