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AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 14, 2010

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 2514**

**Introduced by Assembly Member Skinner**

February 19, 2010

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An act to amend Sections 9615 and 9620 of, and to add Chapter 7.7 (commencing with Section 2835) to Part 2 of Division 1 of, the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2514, as amended, Skinner. Energy storage systems.

Under existing law, the Public Utilities Commission (CPUC) has regulatory authority over public utilities, including electrical corporations, as defined. The existing Public Utilities Act requires the CPUC to review and adopt a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives. The existing California Renewables Portfolio Standard Program (RPS program) requires the CPUC to implement annual procurement targets for the procurement of eligible renewable energy resources, as defined, for all retail sellers, including electrical corporations, community choice aggregators, and electric service providers, but not including local publicly owned electric utilities, to achieve the targets and goals of the program.

The existing Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires it to undertake a continuing assessment of trends in the consumption of electricity and other forms of energy and to analyze the social, economic, and environmental consequences of those trends and to collect from electric utilities, gas utilities, and fuel producers and wholesalers and other sources, forecasts of future supplies and consumption of all forms of energy.

Existing law *requires the CPUC, in consultation with the Independent System Operator (ISO), to establish resource adequacy requirements for all load-serving entities, as defined, in accordance with specified objectives. The definition of a “load-serving entity” excludes a local publicly owned electric utility. That law further requires each load-serving entity to maintain physical generating capacity adequate to meet its load requirements, including peak demand and planning and operating reserves, deliverable to locations and at times as may be necessary to provide reliable electric service. Other existing law requires that each local publicly owned electric utility serving end-use customers to prudently plan for and procure resources that are adequate to meet its planning reserve margin and peak demand and operating reserves, sufficient to provide reliable electric service to its customers. That law additionally requires the utility, upon request, to provide the Energy Commission with any information the Energy Commission determines is necessary to evaluate the progress made by the local publicly owned electric utility in meeting those planning requirements, and requires the Energy Commission to report the progress made by each utility to the Legislature, to be included in the integrated energy policy reports. Under existing law the governing body of a local publicly owned electric utility is responsible for implementing and enforcing a renewables portfolio standard for the utility that recognizes the intent of the Legislature to encourage renewable resources, while taking into consideration the effect of the standard on rates, reliability, and financial resources and the goal of environmental improvement.*

This bill would require the CPUC, by ~~April 1, 2011~~ *March 1, 2012*, to open a proceeding to establish procurement targets for each ~~electrical corporation~~ *load-serving entity* for viable and cost-effective energy storage systems and, by ~~January 1, 2013~~ *October 1, 2013*, to adopt an appropriate energy storage system procurement target to be achieved by each ~~electrical corporation~~ *load-serving entity* by

*December 31, 2015, and a 2nd target to be achieved by ~~January 1~~ ~~December 31, 2020~~. The bill would require the governing board of a local publicly owned electric utility, by ~~April 1, 2011~~ *March 1, 2012*, to open a proceeding to establish procurement targets for the utility for viable and cost-effective energy storage systems and, by ~~January 1, 2013~~ *October 1, 2014*, to adopt an appropriate energy storage system procurement target to be achieved by the utility by ~~January 1, 2015~~ *December 31, 2016*, and a 2nd target to be achieved by ~~January 1, 2020~~ *December 31, 2021*. The bill would additionally require each local publicly owned electric utility, commencing January 1, 2012, to develop and submit to the Energy Commission a plan to implement a 5-year program to employ distributed thermal, mechanical, or electrochemical energy storage systems to maximize shifting of electricity use for air-conditioning and refrigeration from peak demand periods to offpeak periods. The bill would require each ~~electrical corporation~~ *load-serving entity* and local publicly owned electric utility to report certain information to the CPUC, for an ~~electrical corporation~~ *a load-serving entity*, or to the Energy Commission, for a local publicly owned electric utility. The bill would make other technical, nonsubstantive revisions to existing law.*

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the CPUC is a crime.

Because certain of the provisions of this bill require action by the CPUC to implement, a violation of these provisions would impose a state-mandated local program by creating a new crime. Because certain of the bill’s requirements are applicable to local publicly owned electric utilities, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

1 (a) Expanding the use of energy storage systems can assist  
 2 electrical corporations, *electric service providers*, *community*  
 3 *choice aggregators*, and local publicly owned electric utilities in  
 4 integrating increased amounts of renewable energy resources into  
 5 the electrical transmission and distribution grid in a manner that  
 6 minimizes emissions of greenhouse gases.

7 (b) Additional energy storage systems can optimize the use of  
 8 the significant additional amounts of variable, intermittent, and  
 9 offpeak electrical generation from wind and solar energy that will  
 10 be entering the California power mix on an accelerated basis.

11 (c) Expanded use of energy storage systems can reduce costs  
 12 to ratepayers by avoiding or deferring the need for new fossil  
 13 fuel-powered peaking powerplants and avoiding or deferring  
 14 distribution and transmission system upgrades and expansion of  
 15 the grid.

16 (d) Expanded use of energy storage systems will reduce the use  
 17 of electricity generated from fossil fuels to meet peak load  
 18 requirements on days with high electricity demand and can avoid  
 19 or reduce the use of electricity generated by high carbon-emitting  
 20 electrical generating facilities during those high electricity demand  
 21 periods. This will have substantial cobenefits from reduced  
 22 emissions of criteria pollutants.

23 (e) Use of energy storage systems to provide the ancillary  
 24 services otherwise provided by fossil-fueled generating facilities  
 25 will reduce emissions of carbon dioxide and criteria pollutants.

26 (f) There are significant barriers to obtaining the benefits of  
 27 energy storage systems, including inadequate evaluation of the  
 28 use of energy storage to integrate renewable energy resources into  
 29 the transmission and distribution grid through long-term electricity  
 30 resource planning, lack of recognition of technological and  
 31 marketplace advancements, and inadequate statutory and regulatory  
 32 support.

33 SEC. 2. Chapter 7.7 (commencing with Section 2835) is added  
 34 to Part 2 of Division 1 of the Public Utilities Code, to read:

35  
 36 CHAPTER 7.7. ENERGY STORAGE SYSTEMS

37  
 38 2835. For purposes of this chapter, the following terms have  
 39 the following meanings:

1 (a) (1) “Energy storage system” means commercially available  
2 technology that is capable of absorbing energy, storing it for a  
3 period of time, and thereafter dispatching the energy. An “energy  
4 storage system” may have any of the characteristics in paragraph  
5 (2), shall accomplish one of the purposes in paragraph (3), and  
6 shall meet at least one of the characteristics in paragraph (4).

7 (2) An “energy storage system” may have any of the following  
8 characteristics:

9 (A) Be either centralized or distributed.

10 (B) Be either owned by ~~an electrical corporation~~ *a load-serving*  
11 *entity* or local publicly owned electric utility, a customer of ~~an~~  
12 ~~electrical corporation~~ *a load-serving entity* or local publicly owned  
13 electric utility, or a third party, or is jointly owned by two or more  
14 of the above.

15 (3) An “energy storage system” shall be cost effective and either  
16 reduce emissions of greenhouse gases, reduce demand for peak  
17 electrical generation, *defer upgrades to the electrical transmission*  
18 *or distribution grid*, or improve the reliable operation of the  
19 electrical transmission or distribution grid.

20 (4) An “energy storage system” shall do one or more of the  
21 following:

22 (A) Use mechanical, chemical, or thermal processes to store  
23 energy that was generated at offpeak times for use at a later time  
24 without substantial reliance on fossil fuels.

25 (B) Store thermal energy for direct use for heating or cooling  
26 at a later time in a manner that avoids the need to use electricity  
27 at that later time.

28 (C) Use mechanical, chemical, or thermal processes to store  
29 energy generated from renewable resources for use at a later time  
30 without substantial reliance on fossil fuels.

31 (D) Use mechanical, chemical, or thermal processes to store  
32 energy generated from mechanical processes that would otherwise  
33 be wasted for delivery at a later time without substantial reliance  
34 on fossil fuels.

35 (b) “*Load-serving entity*” has the same meaning as defined in  
36 *Section 380*.

37 (c) “New” means, in reference to an energy storage system, a  
38 system that is installed and first becomes operational after January  
39 1, 2010.

40 (e)

1 (d) “Offpeak” means, in reference to electrical demand, a period  
 2 that is not within a peak demand period.

3 ~~(d)~~

4 (e) “Peak demand period” means a period of high daily, weekly,  
 5 or seasonal demand for electricity. For purposes of this chapter,  
 6 the peak demand period for ~~an electrical corporation~~ *a load-serving*  
 7 *entity* shall be determined, or approved, by the commission and  
 8 shall be determined, or approved, for a local publicly owned  
 9 electric utility, by its governing body.

10 ~~(e)~~

11 (f) “Procure” and “procurement” means, in reference to the  
 12 procurement of an energy storage system, to acquire by ownership  
 13 or by a contractual right to use the energy from, or the capacity  
 14 of, including ancillary services, an energy storage system owned  
 15 ~~by a customer or third party~~ *an electrical corporation, customer,*  
 16 *or third party. Nothing in this chapter, and no action by the*  
 17 *commission, shall discourage or disadvantage development and*  
 18 *ownership of an energy storage system by an electrical*  
 19 *corporation.*

20 2836. (a) (1) ~~On or before April 1, 2011, the commission shall~~  
 21 ~~open a proceeding to establish procurement targets for each~~  
 22 ~~electrical corporation for viable and cost-effective energy storage~~  
 23 ~~systems.~~

24 ~~(2) On or before January 1, 2013, the commission shall adopt~~  
 25 ~~appropriate energy storage system procurement targets to be~~  
 26 ~~achieved by each electrical corporation by January 1, 2015, and a~~  
 27 ~~second target to be achieved by January 1, 2020. March 1, 2012,~~  
 28 ~~the commission shall open a proceeding to establish appropriate~~  
 29 ~~procurement targets for each load serving entity for viable and~~  
 30 ~~cost-effective energy storage systems to be achieved by December~~  
 31 ~~31, 2015, and December 31, 2020. As part of this proceeding, the~~  
 32 ~~commission may consider a variety of possible policies to~~  
 33 ~~encourage the cost-effective deployment of energy storage systems,~~  
 34 ~~including incentives and refinement of existing procurement~~  
 35 ~~methods to properly value energy storage systems. The commission~~  
 36 ~~may consider applying different policies to different load serving~~  
 37 ~~entities.~~

38 (2) *The commission shall adopt the procurement targets*  
 39 *pursuant to paragraph (1) by October 1, 2013.*

1 (3) The commission shall reevaluate the determinations made  
2 pursuant to this subdivision not less than once every three years.

3 (b) (1) On or before ~~April 1, 2011~~ *March 1, 2012*, the governing  
4 board of each local publicly owned electric utility shall initiate a  
5 process to establish *appropriate* procurement targets for the utility  
6 for viable and cost-effective energy storage systems *to be achieved*  
7 *by December 31, 2016, and December 31, 2021. As part of this*  
8 *proceeding, the governing board may consider a variety of possible*  
9 *policies to encourage the cost-effective deployment of energy*  
10 *storage systems, including incentives and refinement of existing*  
11 *procurement methods to properly value energy storage systems.*

12 ~~(2) On or before January 1, 2013, the governing board shall~~  
13 ~~adopt appropriate energy storage system procurement targets to~~  
14 ~~be achieved by the utility by January 1, 2015, and a second target~~  
15 ~~to be achieved by January 1, 2020.~~

16 (2) *The governing board shall adopt the procurement targets*  
17 *pursuant to paragraph (1) by October 1, 2014.*

18 (3) The governing board shall reevaluate the determinations  
19 made pursuant to this subdivision not less than once every three  
20 years.

21 (4) A local publicly owned electric utility shall report to the  
22 Energy Commission regarding the energy storage system  
23 procurement targets *and policies* adopted by the governing board  
24 pursuant to paragraph (2), and report any modifications made to  
25 those targets as a result of a reevaluation undertaken pursuant to  
26 paragraph (3).

27 2836.2. In adopting and reevaluating appropriate energy storage  
28 system procurement targets *and policies* pursuant to subdivision  
29 (a) of Section 2836, the commission shall do all of the following:

30 (a) Consider existing results of testing and trial pilot projects  
31 from existing energy storage facilities.

32 (b) Consider available information from the California  
33 Independent System Operator derived from California Independent  
34 System Operator testing and evaluation procedures.

35 (c) Consider the integration of energy storage technologies with  
36 other programs, including energy efficiency or other means of  
37 reducing electrical demand that will result in the most efficient  
38 use of generation resources and cost-effective energy efficient grid  
39 integration and management.

1 (d) Ensure that the energy storage system procurement targets  
2 *and policies* that are established are technologically viable and  
3 cost effective.

4 2836.4. (a) An energy storage system shall be used to meet  
5 the resource adequacy requirements established for ~~an electrical~~  
6 ~~corporation~~ *a load-serving entity* pursuant to Section 380 if it meets  
7 applicable standards.

8 (b) An energy storage system shall be used to meet the resource  
9 adequacy requirements established by a local publicly owned  
10 electric utility pursuant to Section 9620 if it meets applicable  
11 standards.

12 2836.6. All procurement of energy storage systems by ~~an~~  
13 ~~electrical corporation~~ *a load-serving entity* or local publicly owned  
14 electric utility shall be cost effective.

15 2837. Each electrical corporation's renewable energy  
16 procurement plan, prepared and approved pursuant to Article 16  
17 (commencing with Section 399.11) of Chapter 2.3 of Part 1, shall  
18 do all of the following:

19 (a) Require the utility to procure new energy storage systems  
20 that are ~~sufficient~~ *appropriate* to allow the electrical corporation  
21 to ~~meet~~ *comply with* the energy storage system procurement targets  
22 *and policies* adopted pursuant to Section 2836. The plan shall  
23 address the acquisition and use of energy storage systems in order  
24 to achieve the following purposes:

25 (1) Integrate intermittent generation from eligible renewable  
26 energy resources into the reliable operation of the transmission  
27 and distribution grid.

28 (2) Allow intermittent generation from eligible renewable energy  
29 resources to operate at or near full capacity.

30 (3) ~~Eliminate~~ *Reduce* the need for new fossil-fuel powered  
31 peaking generation facilities by using stored electricity to meet  
32 peak demand.

33 (4) Reduce purchases of electricity generation sources with  
34 higher emissions of greenhouse gases.

35 (5) Eliminate or reduce transmission and distribution losses,  
36 including increased losses during periods of congestion on the  
37 grid.

38 (6) Reduce the demand for electricity during peak periods and  
39 achieve permanent load-shifting by using thermal storage to meet  
40 air-conditioning needs.



1 (7) Avoid or defer investments in transmission and distribution  
2 system upgrades.

3 (8) Use energy storage systems to provide the ancillary services  
4 otherwise provided by fossil-fueled generating facilities.

5 (b) Consider and incorporate, where feasible, the Energy  
6 Commission's evaluation of energy storage systems, including  
7 locations where the interconnection costs for energy storage  
8 systems located on the *electrical corporation's electrical*  
9 transmission and distribution grid would be minimized, as  
10 identified in the Integrated Energy Policy Report prepared pursuant  
11 to Section 25302 of the Public Resources Code.

12 2838. (a) (1) By January 1, ~~2015~~, ~~each electrical corporation~~  
13 ~~2016~~, *each load-serving entity* shall submit a report to the  
14 commission demonstrating that it has complied with the energy  
15 storage system procurement targets *and policies* adopted by the  
16 commission pursuant to subdivision (a) of Section 2836.

17 (2) By January 1, ~~2020~~, ~~each electrical corporation~~ ~~2021~~, *each*  
18 *load-serving entity* shall submit a report to the commission  
19 demonstrating that it has complied with the energy storage system  
20 procurement targets *and policies* adopted by the commission  
21 pursuant to subdivision (a) of Section 2836.

22 (b) (1) *The commission may waive the requirements of this*  
23 *subdivision for a specific load-serving entity or group of similarly*  
24 *situated load-serving entities.*

25 ~~(b)~~

26 (2) The commission shall ensure that a copy of each report  
27 required by subdivision (a), with any confidential information  
28 redacted, is available on the commission's Internet Web site.

29 2839. (a) (1) By January 1, ~~2015~~ ~~2017~~, a local publicly owned  
30 electric utility shall submit a report to the Energy Commission  
31 demonstrating that it has complied with the energy storage system  
32 procurement targets *and policies* adopted by the governing board  
33 pursuant to subdivision (b) of Section 2836.

34 (2) By January 1, ~~2020~~ ~~2022~~, a local publicly owned electric  
35 utility shall submit a report to the Energy Commission  
36 demonstrating that it has complied with the energy storage system  
37 procurement targets *and policies* adopted by the governing board  
38 pursuant to subdivision (b) of Section 2836.

39 (b) (1) Within 60 days of receipt of a report required by  
40 subdivision (a), the Energy Commission shall notify a local

1 publicly owned electric utility if the report fails to demonstrate  
2 compliance with the energy storage system procurement target  
3 requirements.

4 (2) Within 60 days of receiving a notice of deficiency pursuant  
5 to paragraph (1), a local publicly owned electric utility shall submit  
6 an energy storage system procurement compliance plan to the  
7 Energy Commission setting forth a program for compliance with  
8 the energy storage system procurement targets *and policies* within  
9 six months of the required date for submittal of the compliance  
10 plan.

11 (3) The local publicly owned electric utility that submitted an  
12 energy storage system procurement compliance plan shall comply  
13 with the applicable energy storage system procurement targets *and*  
14 *policies* within six months from the required date for submittal of  
15 the compliance plan and shall submit proof of compliance to the  
16 Energy Commission within 30 days of the expiration of the  
17 six-month period.

18 (c) The Energy Commission shall ensure that a copy of each  
19 report or plan required by subdivisions (a) and (b), with any  
20 confidential information redacted, is available on the Energy  
21 Commission's Internet Web site, or on an Internet Web site  
22 maintained by the local publicly owned electric utility that can be  
23 accessed from the Energy Commission's Internet Web site.

24 (d) On or before July 1, 2011, the Energy Commission shall  
25 adopt regulations specifying procedures to enable local publicly  
26 owned electric utilities to comply with this chapter.

27 (e) The commission does not have authority or jurisdiction to  
28 enforce any of the requirements of this chapter against a local  
29 publicly owned electric utility.

30 SEC. 3. Section 9615 of the Public Utilities Code is amended  
31 to read:

32 9615. (a) Each local publicly owned electric utility, in  
33 procuring energy to serve the load of its retail end-use customers,  
34 shall first acquire all available energy efficiency and demand  
35 reduction resources that are cost effective, reliable, and feasible.

36 (b) On or before June 1, 2007, and by June 1 of every third year  
37 thereafter, each local publicly owned electric utility shall identify  
38 all potentially achievable cost-effective electricity efficiency  
39 savings and shall establish annual targets for energy efficiency  
40 savings and demand reduction for the next 10-year period. A local

1 publicly owned electric utility's determination of potentially  
2 achievable cost-effective electricity efficiency savings shall be  
3 made without regard to previous minimum investments undertaken  
4 pursuant to Section 385. A local publicly owned electric utility  
5 shall treat investments made to achieve energy efficiency savings  
6 and demand reduction targets as procurement investments.

7 (c) Within 60 days of adopting annual targets pursuant to  
8 subdivision (b), each local publicly owned electric utility shall  
9 report those targets to the Energy Commission, and the basis for  
10 establishing those targets.

11 (d) Each local publicly owned electric utility shall report  
12 annually to its customers and to the Energy Commission. The  
13 report shall contain, but is not limited to, both of the following:

14 (1) Its investments in energy efficiency and demand reduction  
15 programs.

16 (2) A description of programs, expenditures, cost-effectiveness,  
17 and expected and actual energy efficiency savings and demand  
18 reduction results.

19 (e) Each local publicly owned electric utility shall also annually  
20 develop and submit to the Energy Commission a report containing  
21 all of the following:

22 (1) The sources of funding for its investments in energy  
23 efficiency and demand reduction program investments.

24 (2) The methodologies and input assumptions used to determine  
25 cost-effectiveness.

26 (3) The results of an independent evaluation that measures and  
27 verifies the energy efficiency savings and reduction in energy  
28 demand achieved by its energy efficiency and demand reduction  
29 programs.

30 (f) (1) Each local publicly owned electric utility, by January 1,  
31 ~~2011~~ 2012, shall develop and submit to the Energy Commission  
32 a plan setting forth a program, to be implemented over the  
33 following five years, requiring the use of distributed thermal,  
34 mechanical, or electrochemical energy storage systems to maximize  
35 shifting of electricity use for air-conditioning and refrigeration  
36 from peak demand periods to offpeak times. The purposes of the  
37 program shall include reducing electricity demand during peak  
38 demand periods and reducing emissions of greenhouse gases,  
39 oxides of nitrogen, and particulate matter.

1 (2) In developing and implementing the plan required by this  
2 subdivision, each of the attributes that an energy storage system  
3 would provide, shall be considered and valued when determining  
4 if a proposed energy storage system is cost effective.

5 (3) Each local publicly owned electric utility, within one year  
6 of its issuance, shall consider and, where feasible, incorporate into  
7 the utility’s plan required by this subdivision, the Energy  
8 Commission’s evaluation of energy storage locations, technologies,  
9 and benefits as identified in the most current Integrated Energy  
10 Policy Report prepared pursuant to Section 25302 of the Public  
11 Resources Code.

12 (g) The Energy Commission shall include a summary of the  
13 information reported pursuant to subdivision (e) in the integrated  
14 energy policy report prepared pursuant to Chapter 4 (commencing  
15 with Section 25300) of Division 15 of the Public Resources Code.  
16 The Energy Commission shall also include, for each local publicly  
17 owned electric utility, a comparison of the local publicly owned  
18 electric utility’s annual targets established in accordance with this  
19 section, and the local publicly owned electric utility’s actual energy  
20 efficiency savings and demand reductions. If the Energy  
21 Commission determines that improvements can be made in either  
22 the level of a local publicly owned electric utility’s annual targets  
23 to achieve all cost-effective, reliable, and feasible energy savings  
24 and demand reductions and to enable the local publicly owned  
25 electric utilities, in the aggregate, to achieve statewide targets  
26 established pursuant to Section 25310, or in meeting each local  
27 publicly owned electric utility’s annual targets, the Energy  
28 Commission shall provide recommendations to the local publicly  
29 owned electric utility, the Legislature, and the Governor on those  
30 improvements.

31 SEC. 4. Section 9620 of the Public Utilities Code is amended  
32 to read:

33 9620. (a) Each local publicly owned electric utility serving  
34 end-use customers, shall prudently plan for and procure resources  
35 that are adequate to meet its planning reserve margin and peak  
36 demand and operating reserves, sufficient to provide reliable  
37 electric service to its customers. Customer generation located on  
38 the customer’s site or providing electric service through  
39 arrangements authorized by Section 218, shall not be subject to

1 these requirements if the customer generation, or the load it serves,  
2 meets one of the following criteria:

3 (1) It takes standby service from the local publicly owned  
4 electric utility on a rate schedule that provides for adequate backup  
5 planning and operating reserves for the standby customer class.

6 (2) It is not physically interconnected to the electric transmission  
7 or distribution grid, so that, if the customer generation fails, backup  
8 power is not supplied from the electricity grid.

9 (3) There is physical assurance that the load served by the  
10 customer generation will be curtailed concurrently and  
11 commensurately with an outage of the customer generation.

12 (b) Each local publicly owned electric utility serving end-use  
13 customers shall, at a minimum, meet the most recent minimum  
14 planning reserve and reliability criteria approved by the Board of  
15 Trustees of the Western Systems Coordinating Council or the  
16 Western Electricity Coordinating Council.

17 (c) Each local publicly owned electric utility shall prudently  
18 plan for and procure energy storage systems that are adequate to  
19 meet the requirements of Section 2836.

20 (d) A local publicly owned electric utility serving end-use  
21 customers shall, upon request, provide the Energy Commission  
22 with any information the Energy Commission determines is  
23 necessary to evaluate the progress made by the local publicly  
24 owned electric utility in meeting the requirements of this section.

25 (e) The Energy Commission shall report to the Legislature, to  
26 be included in each integrated energy policy report prepared  
27 pursuant to Section 25302 of the Public Resources Code, regarding  
28 the progress made by each local publicly owned electric utility  
29 serving end-use customers in meeting the requirements of this  
30 section.

31 SEC. 5. No reimbursement is required by this act pursuant to  
32 Section 6 of Article XIII B of the California Constitution because  
33 a local agency or school district has the authority to levy service  
34 charges, fees, or assessments sufficient to pay for the program or  
35 level of service mandated by this act or because costs that may be  
36 incurred by a local agency or school district will be incurred  
37 because this act creates a new crime or infraction, eliminates a  
38 crime or infraction, or changes the penalty for a crime or infraction,  
39 within the meaning of Section 17556 of the Government Code, or

1 changes the definition of a crime within the meaning of Section 6  
2 of Article XIII B of the California Constitution.

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5 **CORRECTIONS:**

6 **Text—Page 5.**

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