

DOCKETED	
Docket Number:	22-BSTD-04
Project Title:	2022 Energy Code Photovoltaic and Battery Storage Cost Effectiveness Determinations
TN #:	250711
Document Title:	Notice of Public Comment Period for Benjamin Apartment Project for Solar PV Determination
Description:	On June 7, 2022, C Note Limited Partnership submitted to the California Energy Commission (CEC) an application for a determination regarding the applicability of the photovoltaic (PV) system requirements included in the 2019 Building Energy Efficiency Standards (Energy Code) for the Benjamin Project located at 2525 Century Blvd in Lodi, California. CEC staff will evaluate the application consistent with the California Code of Regulations (CCR), Title 24, Part 1, Chapter 10, section 10-109(k), which is applicable in cases where “the implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, interconnection fees, or other factors, causes the Commission’s cost-effectiveness conclusions, made pursuant to Public Resources Code section 25402(b)(3), to not hold for particular buildings.”
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Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	6/22/2023 12:06:15 PM
Docketed Date:	6/22/2023

CALIFORNIA ENERGY COMMISSION

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energy.ca.gov

CEC-057 (Revised 1/21)



Notice of Public Comment Period Docket No. 22-BSTD-04

Application for Photovoltaic System Requirement Determination For the Benjamin Project in Accordance with Section 10-109(k) of the California Code of Regulations, Title 24, Part 1

Comments Due Monday, July 17, 2023

On June 7, 2022, C Note Limited Partnership submitted to the California Energy Commission (CEC) an application for a determination regarding the applicability of the photovoltaic (PV) system requirements included in the *2019 Building Energy Efficiency Standards* (Energy Code) for the Benjamin Project located at 2525 Century Blvd in Lodi, California. CEC staff will evaluate the application consistent with the California Code of Regulations (CCR), Title 24, Part 1, Chapter 10, section 10-109(k), which is applicable in cases where “the implementation of public agency rules regarding utility system costs and revenue requirements, compensation for customer-owned generation, interconnection fees, or other factors, causes the Commission’s cost-effectiveness conclusions, made pursuant to Public Resources Code section 25402(b)(3), to not hold for particular buildings.” The applicant applied for and received a permit for newly constructed, low-rise multifamily buildings at the Benjamin Project to comply with the 2019 Energy Code and is applying for a determination pursuant to section 10-109(k) of the 2019 Energy Code.

Staff has reviewed the application and determined that it includes supporting information necessary for the CEC to determine if section 10-109(k) is applicable for the Benjamin Project and is therefore complete. Staff encourages interested parties to participate in the review and seeks comments on the application, as well as potential impacts relating to the proposal.

Background

On May 9, 2018, the CEC adopted the 2019 Energy Code, which includes solar PV requirements for all newly constructed single-family and low-rise multifamily buildings in sections 150.1(c)14. Low-rise multifamily buildings are multifamily buildings that have three habitable stories or fewer. These requirements, along with the rest of the 2019 Energy Code, take effect on January 1, 2020.

CCR section 10-109(k) authorizes the CEC to determine whether the solar PV requirements apply when implementation of public agency rules may cause the

Commission's cost effectiveness conclusions to not hold for particular buildings. The applicant has applied to the CEC stating that as a result of City of Lodi rules, the installation cost for a PV system in compliance with the 2019 Energy Code for the Benjamin Project would be higher than the cost used by the CEC when determining the cost-effectiveness of solar PV systems, and requested that the Commission determine that the 2019 single family and low-rise multifamily solar PV requirements would not be cost-effective with these installation costs.

C Note Limited Partnership application includes:

- Benjamin Project Formal Request letter to the CEC for Solar Determination
- Exhibit A – Benjamin Project Solar Cost Analysis
- Exhibit B – Summary of the Benjamin Project Solar Bids with Cost Adders
- Exhibit C – Benjamin Project Solar Bids
- Exhibit D – Benjamin Solar Project Cost Spreadsheet.
- Exhibit E – Benjamin Single Unit Cost Spreadsheet
- Exhibit F – City of Lodi Resolution – No. 2016-125 Virtual NEM
- Exhibit G – City of Lodi Electrical Service Regulations and Solar Guidelines
- Exhibit H – Benjamin Project CF1R Summary

The documents are available on the CEC's docket [web page](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-04>

Public Comments

Written comments should be submitted by **5:00 p.m. on Monday, July 10, 2023**. The CEC encourages the use of its electronic commenting system. Visit the e-commenting page at <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-04>.

Enter your contact information and a comment title describing the subject of your comment(s). After a challenge-response test used by the system to ensure that responses are generated by a human and not a computer, click "Agree & Submit Your Comment" to submit the comment to the CEC's Docket Unit. Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in compliance with the California Code of Regulations, Title 20, section 1208.1. The maximum file size allowed is 10 MB.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **22-BSTD-04** and indicating Benjamin Apartment Project Photovoltaic System Determination" may be sent to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-BSTD-04
715 P Street
Sacramento, CA 95814-5504

Or may be emailed to: DOCKET@energy.ca.gov.

Please note that your e-comments, emails, written letters, any attachments, and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via internet search engines.

Public Participation

The CEC's public advisor assists the public with participation in CEC proceedings. To request assistance, interpreting services or other reasonable modifications and accommodations, call (916) 957-7910, or email at publicadvisor@energy.ca.gov. The CEC will work diligently to meet all requests based on availability.

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Please contact Muhammad Saeed by phone at (916) 896-4797 or by email at muhammad.saeed@energy.ca.gov if you have questions on the subject matter of this notice.