

**DEPARTMENT OF FINANCE BILL ANALYSIS**

**AMENDMENT DATE:** 02/23/2012  
**POSITION:** Neutral

**BILL NUMBER:** AB 1073  
**AUTHOR:** Fuentes, Felipe

**FISCAL SUMMARY**

The CEC indicates the costs associated with the bill are minor and absorbable since they are already assumed within its existing budget. Finance concurs with this assessment.

**COMMENTS**

The bill is intended to clarify that the CEC's permitting authority applies to solar thermal power plants seeking conversion to PV and that was challenged in court but was later dismissed.

Chapter 469, Statutes of 2011 (SB 226-Simitian) authorized the CEC with limited jurisdiction over PV projects which were filed after August 12, 2007 and approved by the CEC and for projects on federal land where a decision was issued by the Bureau of Land Management before September 1, 2011. The bill noted that the project would not qualify for the exception if the project had been challenged in court. Senator Simitian subsequently sent a letter to the Senate Daily Journal stating his intent that this limitation did not apply if that challenge was subsequently overturned by a court of law. This bill would clarify this limitation does not apply to a project which was challenged in court but subsequently dismissed.

| Code/Department<br>Agency or Revenue<br>Type | SO                                     | (Fiscal Impact by Fiscal Year) |    |           |          |           |        | Fund<br>Code |      |
|--|--|--------------------------------|----|-----------|----------|-----------|--------|--------------|------|
|  | LA                                     | (Dollars in Thousands)         |    |           |          |           |        |              |      |
|  | CO                                     | PROP                           |    |           |          |           |        |              |      |
|  | RV                                     | 98                             | FC | 2011-2012 | FC       | 2012-2013 | FC     | 2013-2014    |      |
| 3360/Energy Comm                             | SO                                     | No                             |    | -----     | No/Minor | Fiscal    | Impact | -----        | 3062 |
| <u>Fund Code</u>                             | <u>Title</u>                           |                                |    |           |          |           |        |              |      |
| 3062   | Energy Facility License and Compliance |                                |    |           |          |           |        |              |      |

|                                       |      |                                      |   |
|---------------------------------------|------|--------------------------------------|---|
| Analyst/Principal<br>(0621) J.McGuinn | Date | Program Budget Manager<br>Karen Finn | Date  |
| Department Deputy Director            |      |                                      | Date  |
| Governor's Office:                    | By:  | Date:                                | Position Approved _____<br>Position Disapproved _____ |
| BILL ANALYSIS                         |      |                                      | Form DF-43 (Rev 03/95 Buff)                           |