

Hear Every Voice

Case Study: California Energy Commission Public Adviser Program



State agency program focused on building capacity for public involvement in energy policy, planning, and siting decisions

California

California Energy Commission (CEC)

Project Details

Location

Organizations

Context: The Public Adviser Program is authorized by the Warren-Alquist Act (California Public Resources Code § 25000 et seq.), which created and provides statutory authority for the California Energy Commission (CEC). The Public Adviser's Office is charged with ensuring "full and adequate participation by all interested groups and the public at large" in CEC proceedings (CEC 2011). In particular, the Warren-Alquist Act specifies the following duties:

- securing participation in CEC planning, site and facility certification, energy conservation, and emergency allocation procedures;
- ensuring notice of CEC meetings and public hearings to the public and interested groups;
- advising groups and the public on ways to participation in CEC proceedings; and
- recommending additional measures to the CEC to ensure participation (Warren-Alquist Act 2009).

While the public adviser cannot represent a member of the public or their position, the adviser "does provide independent advice on procedures so involvement in CEC proceedings is effective and meaningful" (CEC 2009).

Public Involvement: The Public Adviser Program produces a range of information and materials to assist potential participants in engaging in CEC activities. These items are posted on the Public Adviser's Office website.

How the Public Adviser's Office Can Help You (CEC 2009)

This attractively designed and illustrated pamphlet is particularly oriented to persons who might be interested in getting involved the siting process for an energy facility. The pamphlet introduces the role of the public adviser and describes two levels of participation – informal and intervention. The role and impact of informal participation is attending meetings, workshops, and hearings, with the opportunity to provide comments as part of the public record. The pamphlet provides further details about becoming an intervenor, a more formal approach to participation. Under the CEC's rules, individuals can "intervene," or become a formal party, in any CEC proceeding. Intervenors have the opportunity to engage at a higher level, presenting evidence and witnesses, obtaining information from all other parties, and filing motions, petitions, objections, and briefs. The pamphlet also contains information on the siting process for energy facilities, describing each of the key steps in the process. Finally, the pamphlet provides a list of contacts related to various topics and references to relevant documents.

Case Summary

Brochure to encourage involvement in the CEC's process



Source: http://www.energy.ca.gov/public_adviser/documents/Public_Adviser_Brochure.pdf

The California Energy Commission and Its Programs: A Public Information Guide (CEC 2006)

This brief eight-page text document provides an overview of the role and functions of the CEC, as well as information about its organizational structure and mission. The document provides additional information about how to participate in CEC public proceedings, offering information about topic-specific listservs, providing public comment, and becoming an intervenor.

Public Participation in the Siting Process: Practice and Procedure Guide (CEC 2006a)

This more detailed guide to participation is 169 pages in length and introduces technical details related to participation in the siting process for energy facilities. The guide introduces issues such as where to obtain information about a proposed facility siting project, the roles of various participants, siting process phases, details about siting process meetings, the content of siting documents, procedures for providing evidence and testimony, approaches for data requests, and decision-making authority. This guide is highly detailed and would likely be used extensively by participants engaged as active participants, and especially those engaged as intervenors as described above.

Additional information on the Public Adviser's Office website includes background on the role of participation in CEC decision making and recommendations for different ways to provide comments on CEC decisions, including writing letters, sending e-mail messages, and attending meetings. The website also includes an extensive list of links to relevant forms, documents, and siting cases. Specifically, siting case links provide access to information about all energy facilities filed since 1996, essentially providing a one-stop shop for information about these facilities. For each facility, website users can access applications, meeting transcripts, lists of intervenors, and a wide range of other material.

"Public involvement is an important part of Energy Commission proceedings. The Energy Commission promotes an open process, enabling those who are interested or affected by a proceeding to have an opportunity to stay informed and influence the outcome. Successful public involvement is a two-way street, comprised of obtaining information and giving information" (CEC 2011 Public Information and Comments in Siting Cases).

The Public Adviser Program represents a unique approach focused on building the capacity for effective and meaningful participation. The program informs the public and interested parties about the variety of ways that they can participate and the information needed to do so in the most productive manner.

California Energy Commission (CEC). 2011. Public Adviser's Office. Retrieved from: http://www.energy.ca.gov/public_adviser/index.html (accessed July 14, 2011).

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Warren-Alquist State Energy Resources Conservation and Development Act. California Public Resources Code § 25000 et seq. Retrieved from: <http://www.energy.ca.gov/2009publications/CEC-140-2009-001/CEC-140-2009-001-REV1.PDF> (accessed July 14, 2011).

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References