

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-14-22

WHEREAS on August 31, 2022, I proclaimed a State of Emergency to exist in California due to an Extreme Heat Event through September 7, 2022; and

WHEREAS the Extreme Heat Event has brought record temperatures 10-20 degrees above normal throughout the State, exceeding 110 degrees in some areas, and has put significant demand and strain on California's energy grid; and

WHEREAS on August 31, 2022, temperatures rose faster and higher than initially forecasted, leading to greater demand for electricity than anticipated; and

WHEREAS on August 31, 2022, high temperatures caused partial outages at power plants, leading to a loss of over 1000 megawatts of supply; and

WHEREAS on August 31, 2022, the Route Fire shut down a power plant leading to loss of approximately 600 megawatts of supply and threatened three transmission lines, two of which had to be shut off; and

WHEREAS on August 31, 2022, the Border 32 Fire ignited in San Diego County, threatening a critical electrical transmission line; and

WHEREAS on August 31, 2022, and September 1, 2022, the California Independent System Operator (CAISO) issued Flex Alerts for August 31, 2022, September 1, 2022, and September 2, 2022, from 4:00 p.m. to 9:00 p.m., and urged Californians to conserve electricity to avoid power disruptions; and

WHEREAS on August 31, 2022, the CAISO issued an Energy Emergency Alert Watch for September 1, 2022, from 6:00 p.m. to 7:00 p.m., because it was forecasting an energy deficiency, with all available resources in use or forecasted to be in use; and

WHEREAS on August 31, 2022, the CAISO advised that it is forecasting supply deficiencies of over 3,000 megawatts during evening hours from September 4, 2022, through September 6, 2022; and

WHEREAS energy conservation and demand response programs are essential to reduce the strain on energy infrastructure and to respond to the Extreme Heat Event; and

WHEREAS advanced lead time is necessary for ports and operators of ocean-going vessels to maximize power conservation; and

WHEREAS during emergency conditions, the CAISO, in its role as

Reliability Coordinator, may issue an Energy Emergency Alert Watch or an Energy Emergency Alert Level 1, 2, or 3 for its balancing authority and/or other California balancing authorities as conditions warrant; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of the Extreme Heat Event.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my August 31, 2022, Proclamation remain in full force and effect, except as modified herein.
2. Operative paragraph 5 of my August 31, 2022, Proclamation is withdrawn and superseded by the following:

For purposes of regulations concerning stationary generators, use of stationary generators on any day with respect to which the CAISO has issued an Energy Emergency Alert Watch or Energy Emergency Alert, at all times of day and in any location, shall be deemed an "emergency use" under California Code of Regulations (CCR), title 17, section 93115.4, subd. (a)(30)(A)(2).

3. Operative paragraph 6 of my August 31, 2022, Proclamation is withdrawn and superseded by the following:

For purposes of regulations concerning portable generators, in any location, all times of day on any day with respect to which the CAISO has issued an Energy Emergency Alert Watch or Energy Emergency Alert shall be deemed an "emergency event" under CCR, title 17, section 93116.1, subd. (b)(14), and a loss of electrical service shall be deemed "beyond the reasonable control of the owner or operator" under CCR, title 17, section 93116.2, subd. (a)(12)(A)(2). In addition, all times of day on any day with respect to which the CAISO has issued an Energy Emergency Alert Watch or Energy Emergency Alert shall be deemed an "emergency event" under CCR, title 13, section 2452, subd. (j), and interruptions caused by the Extreme Heat Event shall be deemed an "unforeseen interruption of electrical power from the serving utility" under CCR, title 13, section 2453, subd. (m)(4)(E)(1).

4. Operative paragraph 7 of my August 31, 2022, Proclamation is withdrawn and superseded by the following:

In regulations concerning the use of auxiliary engines by ocean-going vessels berthed in California ports, Saturday, September 3, 2022, at 12:01 a.m., through Wednesday, September 7, 2022, at

11:59 p.m., inclusive, shall be deemed an "emergency event" under CCR, title 17, section 93118.3, subd. (c)(14) as it pertains to ocean-going vessels equipped to operate on shore power.

5. Operative paragraph 8 of my August 31, 2022, Proclamation is withdrawn and superseded by the following:

This Order shall be deemed to provide notice under CCR, title 17, section 93118.3, subd. (c)(14)(C) to reduce use of grid-based electrical power on Saturday, September 3, 2022, at 12:01 a.m., through Wednesday, September 7, 2022, at 11:59 p.m., inclusive, and notice under that same section that reduction is no longer necessary at 11:59 p.m. on Wednesday, September 6, 2022.

Ocean-going vessels that are berthed at California ports between Saturday, September 3, 2022, at 12:01 a.m., and Wednesday, September 7, 2022, at 11:59 p.m., inclusive, shall not be required to use shore power until after 11:59 pm on Saturday, September 10, 2022.

6. Any restrictions on the use of prohibited resources adopted by the Public Utilities Commission under Decision 16-09-056, Ordering Paragraphs 3 and 4[b], and as implemented in the tariffs of regulated energy utilities, are suspended for any non-residential customer who is enrolled in the Base Interruptible Program or Agricultural & Pumping Interruptible Program.
7. Any restrictions on the use of prohibited resources adopted by the Public Utilities Commission under Decision 21-12-015, Conclusion of Law 33, and as implemented in the tariffs of regulated energy utilities, are suspended for any non-residential customer who is enrolled in the Emergency Load Reduction Program.
8. CCR, title 17, section 95850, subd. (b) is suspended during the Extreme Heat Event to the extent that section would include cogeneration emissions from entities, other than those classified as fossil fuel generators under North American Industry Classification System Code 221112, in an entity's compliance obligation. In addition, CCR, title 17, section 95101, subd. (a)(1)(B), and section 95812, subd. (c)(1) are suspended to the extent cogeneration emissions during the Extreme Heat Event would cause entities, other than those classified as fossil fuel generators under North American Industry Classification System Code 221112, to be above the applicability thresholds for those sections.
9. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and CCR, title 19, section 2900 et seq., in responding to the Extreme Heat Event.
10. Any fairgrounds that the Office of Emergency Services determines are suitable to assist individuals impacted by the Extreme Heat Event shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can

immediately utilize the fairgrounds without the fairground board of directors' approval.

11. The provisions in this Order shall expire at 11:59 p.m. on September 7, 2022, with the exception that, as provided in Paragraph 5, ocean-going vessels that are berthed at California ports between Saturday, September 3, 2022, at 12:01 a.m., and Wednesday, September 7, 2022, at 11:59 p.m., inclusive, shall not be required to use shore power until after 11:59 pm on Saturday, September 10, 2022.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 2nd day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State