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## **California Code of Regulations**

### **Title 4. Business Regulations**

#### **Division 13. California Alternative Energy Source Financing Authority**

Article 1. Procedures Relating to the Authority of Officers and Members

Article 2. Manufacturing Sales and Use Tax Exclusion Program

Article 3. Clean Energy Upgrade Financing Program

Article 4. Pace Loss Reserve Program

#### **Article 1. Procedures Relating to the Authority of Officers and Members**

§ 10010. Meetings.

Meetings will be held as follows:

- (a) Regular meetings of the Authority will be held on the fourth Tuesday of each month at Sacramento, California unless otherwise ordered by the Authority.
- (b) Special meetings of the Authority may be called by the Chairperson upon giving notice to each member, and appropriate notice to the public.
- (c) Meetings of the Authority shall be held at the time and place designated by the Chairperson in the notice calling such meeting unless otherwise ordered or agreed to by the Authority.
- (d) The Chairperson or Chairperson's designee shall preside at all meetings of the Authority.
- (e) Except as otherwise provided by this article and except when all members present indicate otherwise, meetings of the Authority shall be conducted pursuant to the latest edition of Robert's Rules of Order.
- (f) The agenda shall be prepared by the Executive Secretary, including any item submitted by any member of the Authority, and shall be transmitted to each member of the Authority with the notice of the meeting.
- (g) Notice of all meetings will be given in accordance with the state agency meeting statutes (Section 11125 of the Government Code).

Note: Authority cited: Section 26009, Public Resources Code. Reference: Sections 26004 and 26006, Public Resources Code.

#### **HISTORY**

1. New Article 1 (Section 10010) filed 11-13-81 as procedural and organizational; effective thirtieth day thereafter (Register 81, No. 46).

4 CCR § 10010, 4 CA ADC § 10010

§ 10020. Fees.

(a) The Authority shall charge fees for its reasonable and necessary administrative and program expenses, as a self sustaining agency.

(b) The following fees shall be applicable:

Application Fee. The Authority requires a non-refundable application fee of .0005 (one twentieth of one percent) of the principal amount of financing (but not less than \$250.00 or more than \$5,000.00) for each project to be considered for financing. This shall be paid at the time the formal application is submitted.

Administrative Fee. The Authority charges a one-time administrative fee due at the closing of the financing. The original application fee is credited against the administrative fee at that time.

(1) For all projects the following apply:

(A) if the financial assistance requested is no greater than \$5,000,000.00: .005 (five tenths of one percent).

(B) if the financial assistance requested is greater than \$5,000,000.00 and no greater than \$25,000,000.00: \$25,000 plus .003 (three tenths of one percent) of the amount over \$5,000,000.00.

(C) if the financial assistance requested is greater than \$25,000,000.00: \$85,000 plus .0025 (twenty-five one hundredths of one percent) of the amount over \$25,000,000.00.

(D) in no case shall the fee be less than \$15,000.00 or more than \$250,000.00.

(2) The applicant shall also reimburse the Authority for all reasonable and necessary out of pocket expenses the Authority may incur at the applicant's request, and all other direct or indirect expenses properly allocable to the proposed financing unless paid out of the proceeds of the bond issue. All fees for a particular proposed financing shall be paid by the applicant and deposited in the Authority fund.

(A) The authority shall assess an annual fee each year for the life of the financial assistance in the amount of .0003 (three one-hundredths of one percent) of the approved financial assistance amount with a minimum fee of \$500 and maximum fee of \$10,000.

Note: Authority cited: Sections 26009 and 26011.6(b), Public Resources Code. Reference: Sections 26011(e), 26012 and 26027, Public Resources Code.

#### HISTORY

1. New section filed 3-24-82 as procedural and organizational; effective upon filing (Register 82, No. 13).

2. Amendment filed 6-8-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 24).

3. Amendment of subsections (b)(1) and (b)(2), new subsections (b)(3)-(c) and amendment of Note filed as an emergency 7-31-2009 deemed necessary for the immediate preservation of the public peace, health and safety, and general welfare by the Legislature pursuant to Public Resources Code section 26011.6(b); operative 7-31-2009 (Register 2009, No. 31). A Certificate of Compliance must be transmitted to OAL by 1-27-2010 or emergency language will be repealed by operation of law on the following day.

4. Amendment of subsections (b)(1) and (b)(2), new subsections (b)(3)-(c) and amendment of Note refiled as an emergency 1-27-2010 deemed necessary for the immediate preservation of the public peace, health and safety, and general welfare by the Legislature pursuant to Public Resources Code section 26011.6(b); operative 1-27-2010 (Register 2010, No. 5). A Certificate of Compliance must be transmitted to OAL by 4-27-2010 or emergency language will be repealed by operation of law on the following day.

5. Amendment filed 6-1-2010; operative 6-1-2010 pursuant to Government Code section 11343.4 (Register 2010, No. 23).

4 CCR § 10020, 4 CA ADC § 10020