

Legal Waivers Currently In Place For The Extreme Heat Event Emergency

This heat wave is on track to be both the hottest and longest on record in California for September. We are heading into the worst part of the heat wave and there will be even more demand on the energy grid. **Action is needed today and through the week to conserve energy and bring more energy online to prevent outages.**

In response to the extreme heat event, Governor Newsom issued an [emergency proclamation](#) on Wednesday, August 31, 2022, to allow power plants to generate additional electricity, permit use of backup generators to reduce the amount of energy they need to draw from the grid, and allow ships in California ports to reduce their consumption of electricity from the grid. On Friday, September 2, 2022, Governor Newsom issued [Executive Order N-14-22](#) to provide additional flexibility to state agencies, energy users and utility operators in response to the severe heat wave impacting California and the western United States.

The emergency proclamation and executive order suspend various state and local regulations and permitting requirements. That is, the Governor's orders make those regulations and restrictions not in effect or enforceable in connection with actions taken to help relieve strain on the grid during this extreme heat event.

Specifically, the suspensions of legal requirements currently in effect **today, Monday, September 5, 2022**, under the emergency proclamation and executive order are:

Permission

Backup generators ("BUGs") may be used at any time and in any location today (Monday, September 5)

- California Air Resources Board restrictions and limits on the use of stationary and portable generators are **suspended**, and such generators may be used in any location at any time of day today

Reference

Executive Order N-14-22, paragraphs 2-3

*Because the CAISO has issued an Energy Emergency Alert Watch and Level 1 Alert today, these paragraphs are

activated.

- California Public Utilities Commission restrictions on the use of backup generators (including restrictions on the use of backup generators in specific locations) and corresponding restrictions by California utilities, are **suspended** for non-residential customers participating in compensated demand response programs (Emergency Load Reduction Program, Base Interruptible Program, Agricultural & Pumping Interruptible Program) Executive Order N-14-22, paragraphs 6-7
- Compliance obligations and applicability thresholds under the California Air Resources Board's cap and trade program are **suspended** for cogeneration emissions from entities that are not fossil fuel generators. Executive Order N-14-22, paragraph 8
- Any other permit, regulation, or law restricting or limiting the use of stationary or portable generators is **suspended** Emergency Proclamation, paragraph 10

Ships in California ports are not required to connect to shore power today (Monday, September 5)

- Ships berthed between 12:01 a.m. Saturday, Sept. 3, and 11:59 p.m. Wednesday, Sept. 7, should not connect to shore power. Executive Order N-14-22, paragraphs 4-5; Emergency Proclamation, paragraph 9
- Any ship berthed before 11:59 p.m. on Wednesday, Sept. 7, and not connected to shore power, will not be required to use shore power until after 11:59 p.m. on Saturday, Sept. 10 Executive Order N-14-22, paragraph 5; Emergency Proclamation, paragraph 9
- Any other permit, regulation, or law restricting or limiting the use of engine power is **suspended** Emergency Proclamation, paragraph 10

**Power plants may operate above permitting conditions
from 2:00 to 10:00 p.m. today (Monday, September 5)**

- For thermal power plants, permitting requirements or conditions adopted by the California Energy Commission, and any related local air quality management district permits, that limit power generation or restrict fuel use, are **suspended** to enable additional power generation from 2:00 to 10:00 p.m. Emergency Proclamation, paragraph 4
- Water discharge temperature restrictions for thermal power plants are **suspended** Emergency Proclamation, paragraph 3
- Any other permit, regulation, or law restricting or limiting power plants' ability to generate additional power from 2:00 to 10:00 p.m. is **suspended** Emergency Proclamation, paragraph 10