

**State of California
Office of Administrative Law**

In re:
California Alternative Energy and Advanced
Transportation Financing Authority

Regulatory Action:

Title 04, California Code of Regulations

Adopt sections:

Amend sections: 10092.1, 10092.7

Repeal sections:

NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION

Government Code Sections 11346.1 and
11349.6

OAL Matter Number: 2026-0320-02

OAL Matter Type: Emergency Readopt (EE)

In this emergency readoption action pursuant to Government Code section 11346.1(h) the California Alternative Energy and Advanced Transportation Financing Authority ("Authority") readopts amendments to approve eligible financing for the reconstruction of existing buildings destroyed in whole or in part by a natural disaster. This action is a deemed emergency pursuant to Public Resources Code section 26009.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 3/31/2026 and will expire on 6/30/2026. The Certificate of Compliance for this action is due no later than 6/29/2026.

Date: March 30, 2026



Jenifer Ryan
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Christina Sarron, Executive
Director

Copy: Jonathan Verhoef

EMERGENCY

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2026-0320-02EE	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 30 2026

NG 3:24 pm

OFFICE OF ADMIN. LAW
2026 MAR 20 AM 11:08

AGENCY WITH RULEMAKING AUTHORITY
California Alternative Energy and Advanced Transportation Financing Authority

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Commercial Energy Efficiency Financing Program	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2025-0917-01E
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 10092.1; 10092.7
	REPEAL
TITLE(S) 4	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cat. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 3/31/2026
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Jonathan Verhoef	TELEPHONE NUMBER (916) 809-4637	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) jverhoef@sto.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by: SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Christina Sarron</i>	DATE 3/17/2026
TYPED NAME AND TITLE OF SIGNATORY Christina Sarron, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 30 2026

Office of Administrative Law

CALIFORNIA CODE OF REGULATIONS
Title 4. Business Regulations
Division 13. California Alternative Energy and Advanced Transportation Financing Authority

CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED
TRANSPORTATION FINANCING AUTHORITY
REGULATIONS IMPLEMENTING
THE COMMERCIAL ENERGY EFFICIENCY FINANCING PROGRAM

For section 10092.1:

Section 10092.1. Definitions.

[subsections (a) through (t) remain unchanged]

(u) "Eligible Financing Agreement": An agreement made between a Finance Provider Entity and an Eligible Commercial Financing Customer to finance a Project. The agreement must meet the definition of either an Eligible Lease or Eligible Equipment Financing Agreement, Eligible Loan, Eligible Service Agreement, or Eligible Savings-Based Payment Agreement. The Eligible Financing Agreement must meet the requirements specified in Section 10092.5(b).

[subsections (v) through (uuu) remain unchanged]

Authority: Section 26006 and 26009, Public Resources Code
Reference: Sections 26002, 26002.5, 26003, 26006, 26011 and 26040,
Public Resources Code

For section 10092.7:

Section 10092.7. Project Eligibility.

- (a) General Eligibility. Any Project receiving financing through the terms of the Program must comply with the following eligibility requirements:
- (1) Each Participating Contractor must be enrolled in the Program prior to that Participating Contractor's Scope of Work Completion Date;
 - (2) The Eligible Commercial Financing Customer must be provided with a Bill Impact Estimate (BIE) by the Participating Contractor, Participating Project Developer, or the Primary Finance Provider Entity;
 - (3) The Project must have at least one EEM meeting the requirements described in Section 10092.7(b);
 - (4) The cost for non-lighting measures installed utilizing the EEM List Method, described in Section 10092.7(b)(1), must not exceed \$350,000. The limit of \$350,000 does not apply to Projects installed at one or more Multifamily Properties;
 - (5) Each Participating Contractor must have the proper license(s) relevant to perform its Scope of Work;

- (6) The Project must comply with all applicable local, state, and federal laws, rules, regulations, and ordinances, including, but not limited to, Title 24 of the California Code of Regulations;
- (7) All permits and approvals required to install each Scope of Work must have been approved or must be in the process of being approved; and
- (8) The Eligible Financing Agreement may not be for:
 - (A) The purchase of a building; or
 - (B) New construction of a building except for reconstruction of an existing building that was destroyed, in whole or in part, due to a natural disaster.

[subsections (b) through (d) remain unchanged]

Authority: Section 26006 and 26009, Public Resources Code
Reference: Sections 26002, 26002.5, 26003, 26006, 26011 and 26040,
Public Resources Code