STATE OF CALIFORNIA
DUTY STATEMENT
CEC-004 (Revised 2/2022)

Classification: Attorney III
Position Number: 535-140-5795-054
Division/Office: Chief Counsel’s Office
Collective Bargaining Identifier (CBID): R02
Work Week Group (WWG): SE
Effective Date: April 15, 2022
Conflict of Interest (COI): ☒ Yes ☐ No

If yes, this position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete Form 700 within 30 days of appointment, which identifies pertinent personal financial information.

Job Description
This classification is distinguished from the lower-level Attorney classification by the level of difficulty of assignments given to attorneys and the expertise which the attorney brings to these assignments. Attorney IIIs work with broad discretion and independence with minimum supervision and are expected to be experts in the more complex area of the law within a departmental legal program. An Attorney III does not supervise lower-level attorney staff, but may act in a lead capacity.

Under the general direction of the Assistant Chief Counsel or the Chief Counsel, depending on the assignment, an Attorney III performs the more complex legal work in the Chief Counsel’s Office.

Essential Duties
40% Represents staff in complex California Energy Commission (CEC) proceedings relating to applications for certification of power plants, post certification petitions and amendments to CEC decisions, and small power plant certification exemptions. Duties include independently providing legal advice to staff on complex legal issues, including compliance with the California Environmental Quality Act and ensures consistency with applicable laws, ordinances, regulations, and standards. Drafts and reviews environmental documents; drafts complex legal documents including, but not limited to, motions, post-hearing briefs, and comments on proposed decisions; prepares staff witnesses for admin hearings;
conducts direct and cross examination in admin hearings; and negotiates settlements with power plant owners.

20% Advises staff in complex investigations, compliance, and enforcement matters related to power plants under the CEC jurisdiction and appliance energy efficiency requirements under Title 20 of California Code of Regulations. Independently develops legal strategy for compliance with and enforcement of applicable laws and regulations; drafts and reviews notices of violations, complaints, briefs, and settlements agreements.

20% Advises the CEC on complex data management matters, rulemaking, and legislative proposals. Independently provides legal advice on and drafting responses to complex Public Records Act requests, applications for confidential designation, and non-disclosure agreements; reviews and drafts complex rulemaking documents in compliance with the requirements of the California Administrative Procedure Act; reviews and drafts complex legislation.

15% Advises the CEC on complex legal matters related to integrated resource plans, energy reliability, emergency planning, and issues before the California Independent System Operator, Federal Energy Regulatory Commission, Western Electricity Coordinating Council, and state and federal courts. Duties may include reviewing and drafting CEC guidelines and reports as well as complex briefs and other legal documents filed in proceedings before other state and federal agencies or courts.

Marginal Duties

5% Performs other duties as required, consistent with the specifications of the classification.

Knowledge, Skills, and Abilities

There are distinct increases in the complexity of knowledge and abilities, and the scope of work and effect on programs and services provided and performed as incumbents proceed through this classification series. Incumbents are expected to use the increasing knowledge, abilities, and experiences to perform increasingly difficult and complex legal duties effectively.

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work
cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.

**Working Conditions**

The California Energy Commission offers a hybrid workplace model that is designed to support a distributed workforce of both office-based and remote-centric workers that relies on a high level of telework. Occasional travel may be required based on the needs of the office. Regular and consistent attendance - whether office-based or remote-centric - is essential to the successful performance in this position. This position is remote centered which means the incumbent works 50 percent or more of their time monthly from an alternate work location (i.e., teleworking).

**Diversity and Inclusion Statement**

As a State agency serving all Californians, the California Energy Commission is committed to being an organization that embodies diversity, equity, and inclusion. The Energy Commission plays an active and meaningful role in creating an environment that enables each employee to thrive.

**Employee’s Acknowledgement:** I certify that I am able to perform, with or without the assistance of a reasonable accommodation, the essential duties of this position.

**Employee’s Name (Print):** __________________________

**Employee’s Signature:** ____________________________  **Date:** __________

**Supervisor’s Acknowledgment:** I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with and provided the above-named employee a copy of this duty statement.

**Supervisor’s Name (Print):** Dian Vorters________________

**Supervisor’s Signature:** ____________________________  **Date:** __________
STATE OF CALIFORNIA
DUTY STATEMENT
CEC-004 (Revised 2/2022)

Classification: Attorney I
Position Number: 535-140-5778-XXX
Division/Office: Chief Counsel’s Office – Advocacy and Compliance Unit
Collective Bargaining Identifier (CBID): R02
Work Week Group (WWG): SE
Effective Date: April 15, 2022
Conflict of Interest (COI): ☒ Yes ☐ No

If yes, this position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete Form 700 within 30 days of appointment, which identifies pertinent personal financial information.

Job Description
This is a recruitment and developmental classification for persons qualified to practice law in the State of California. Attorneys assigned to Range A perform the least difficult professional legal work of their department. Based upon the appropriate Alternate Range Criteria, attorneys advance to Ranges B, C, and D and are assigned progressively more difficult professional legal work as their competence increases. Attorneys assigned to Range D independently perform professional legal work of average difficulty.

Under the supervision of the Assistant Chief Counsel or the Chief Counsel, depending on the assignment, an Attorney I performs legal work within the subject matter area of their assigned unit and at the level of expertise which the attorney brings to the assignment.

Essential Duties
40% Represents staff in California Energy Commission (CEC) proceedings relating to applications for certification of power plants, post certification petitions and amendments to CEC decisions, and small power plant certification exemptions. Provides legal advice to staff on legal issues, including compliance with the California Environmental Quality Act and consistency with applicable laws, ordinances, regulations, and standards; drafts and reviews environmental documents; drafts legal documents, including, but not limited to, motions, post-hearing briefs, and comments on proposed decisions; prepares staff witnesses for
administrative hearings; conducts direct and cross-examination in administrative hearings; negotiates settlements with power plant owners.

15% Advises staff in investigations, compliance, and enforcement matters related to power plants under the CEC’s jurisdiction and appliance energy efficiency requirements under Title 20 of California Code of Regulations. Develops legal strategy for compliance with and enforcement of applicable laws and regulations; drafts and reviews notices of violations, complaints, briefs, and settlements agreements.

30% Advises the CEC on data management matters, rulemaking, and legislative proposals. Provides legal advice on and drafting responses to more Public Records Act requests, applications for confidential designation, and non-disclosure agreements; reviews and drafts rulemaking documents in compliance with the requirements of the California Administrative Procedure Act; reviews and drafts legislation.

10% Advises the CEC on legal matters related to integrated resource plans, energy reliability, emergency planning, and issues before the California Independent System Operator, Federal Energy Regulatory Commission, Western Electricity Coordinating Council, and state and federal courts. Reviews and drafts CEC guidelines and reports as well as briefs and other legal documents filed in proceedings before other state and federal agencies or courts.

Marginal Duties

5% Performs other duties as required, consistent with the specifications of the classification and assigned Range.

Knowledge, Skills, and Abilities

There are distinct increases in the complexity of knowledge and abilities, and the scope of work and effect on programs and services provided and performed as incumbents proceed through this classification series. Incumbents are expected to use the increasing knowledge, abilities, and experiences to perform increasingly difficult and complex legal duties effectively.

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.
Working Conditions

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Diversity and Inclusion Statement

As a State agency serving all Californians, the California Energy Commission is committed to being an organization that embodies diversity, equity, and inclusion. The Energy Commission plays an active and meaningful role in creating an environment that enables each employee to thrive.

Employee’s Acknowledgement: I certify that I am able to perform, with or without the assistance of a reasonable accommodation, the essential duties of this position.

Employee’s Name (Print): ____________________________

Employee’s Signature: ____________________________ Date: _____________

Supervisor’s Acknowledgment: I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with and provided the above-named employee a copy of this duty statement.

Supervisor’s Name (Print): Dian Vorters ____________________________

Supervisor’s Signature: ____________________________ Date: _____________