



State of California
California Energy Commission
DUTY STATEMENT
CEC-004 (Revised 4/2024)

Classification(s): Assistant Chief Counsel

Working Title: Assistant Chief Counsel

Position Number: 535-140-5871-003

Division/Branch or Office: Chief Counsel's Office – Advocacy and Compliance Unit

Collective Bargaining Identifier (CBID): M02

Work Week Group (WWG): SE

Date Approved: October 22, 2025

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

The Chief Counsel's Office is a full-service legal team that advances the mission of the California Energy Commission (Commission) by providing pragmatic solutions-oriented legal services and counsel to support sound decision-making throughout the organization. Under the general supervision of the Chief Counsel, each Assistant Chief Counsel performs the most complex and sensitive legal work in the office. Each Assistant Chief Counsel is assigned to supervise a unit and subject matter areas within the Chief Counsel's Office as determined by the Chief Counsel.

At least one Assistant Chief Counsel will supervise a unit that is primarily comprised of attorneys who advise the Commission on development and implementation of energy efficiency and renewable energy regulations, including compliance with rulemaking requirements under the California Administrative Procedure Act. The Assistant Chief Counsel will also supervise attorneys who provide legal advice on legislative analysis and will coordinate the Chief Counsel's Office law clerk program. At least one Assistant Chief Counsel will supervise a unit that is primarily comprised of hearing officers who work closely with an appointed committee of Commissioners or a lead Commissioner to

manage the conduct of adjudicative proceedings, and attorneys who advise the Commission on compliance with Bagley-Keene Open Meeting Act and conflicts of interest laws. The Assistant Chief Counsel will supervise attorneys who advise the Commission on clean transportation, transportation fuels, energy reliability, development of the Integrated Energy Policy Reports, and on energy matters before other state and federal agencies. At least one Assistant Chief Counsel will supervise a unit that is primarily comprised of attorneys who advise the Commission on transactional matters, including contracts, grants, and loans.

The Assistant Chief Counsel for the Advocacy and Compliance Unit will supervise a unit that is comprised of attorneys who advise Commission staff and Commissioners on permitting proceedings for renewable energy projects under the Opt-in Certification Program. (The Commission is the lead CEQA agency for environmental review and permitting for any clean energy facility that elects to opt into the Commission's jurisdiction under the Opt-In Certification Program.) Attorneys in the Advocacy and Compliance Unit also advise staff on proceedings for the certification of thermal power plants, post-certification amendments, and an exemption process for eligible small power plants (including backup generation for data centers), as well as on compliance and enforcement matters, including for clean energy facilities and thermal power plants licensed by the Commission, appliance energy efficiency standards and building energy efficiency standards. They also coordinate the Commission's analysis of relevant proposed legislation and relevant Public Records Act requests.

Essential Duties

- 40% Supervises the attorneys assigned to the Advocacy and Compliance Unit; plans, organizes, directs, and coordinates the work of the unit; establishes legal strategies for the Commission in areas of the Assistant Chief Counsel's supervision; evaluates the performance of attorneys and takes or recommends appropriate action; ensures that the work of attorneys is appropriate for their level; reviews all work product prepared by attorneys to ensure legal sufficiency, quality, and consistency with changes in law and Commission policies; ensures that the Commission's work in areas of the Assistant Chief Counsel's supervision complies with applicable legal requirements; and possesses knowledge of state and federal laws applicable to the subject matter areas within the unit.
- 40% Review the legal documents drafted or analyzed by attorneys of the Advocacy and Compliance Unit, including briefs, motions, orders, resolutions, and comments on environmental documents, proposed findings and decisions, proposed legislation, regulations, and agreements. Duties encompass providing legal guidance to Commissioners, Commission management, and technical staff during Opt-in Certification Program permitting proceedings



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for clean energy facilities and permit amendment proceedings, representing technical staff in thermal powerplant permitting adjudicative proceedings, providing legal support to and representing technical staff during investigations, compliance, and enforcement matters; providing legal advice to staff on compliance with the California Environmental Quality Act; drafting and reviewing environmental documents, including environmental impact reports; coordinating preparation of the administrative record of Opt-in Certification Program permitting proceedings; preparing staff witnesses in administrative hearings and state courts; and enforcing penalties or negotiating settlement agreements to resolve violations of applicable law or the conditions of certification of clean energy facilities and thermal power plants licensed by the Commission, and violations of appliance energy efficiency standards and building energy efficiency standards. Duties also include advising the staff on rulemaking proceedings and relevant proposed legislation, working with the California Attorney General's Office on relevant active litigation, responding to relevant Public Record Act requests and providing legal counsel on emerging energy technologies.

For each Assistant Chief Counsel, duties also include: (1) drafts the most difficult and important Commission legal or policy documents, including legislation, regulations, briefs, orders, and resolutions; (2) participates in the most complex and sensitive Commission proceedings; (3) represents the Commission in sensitive and complex administrative proceedings before other state and federal agencies; (4) coordinates representation of the Commission in difficult and complex litigation in state and federal courts; and (5) advises Commissioners and the Executive Director on relevant aspects of Commission business.

15% Serves as part of the Chief Counsel's Office management team; and assists in coordinating the work of the office by ensuring consistent advice across the Commission's diverse program areas and properly apportioning the work of the Chief Counsel's Office among attorneys.

Marginal Duties

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

Knowledge, Skills, and Abilities

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; federal and state statutes and rules; rules of professional conduct; principles of administrative trial and hearing procedure and rules of evidence; court procedures; legal terms and forms in common use; statutory and case law literature and authorities; professional and ethical rules as they relate to the practice of law; appellate proceedings; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; and provisions of laws and Government Code sections administered or enforced; a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment; and principles of public administration, personnel management and supervision.

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 and memoranda 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; independently present difficult and complex cases before Administrative Law Judges; prepare, present, and handle legal cases; direct the work of clerical and professional assistants; edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness; analyze situations accurately and adopt an effective course of action; reason logically; exercise good judgment; effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same; independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts; and independently present difficult and complex cases before administrative bodies.

Working Conditions

The CEC supports a hybrid workplace model with office-based and remote-centered workers. Limited in-person attendance and occasional travel may be required based on the needs of the division. Regular and consistent attendance is essential to successful performance. This position is remote-centered, which means the incumbent works 50 percent or more of their time from an alternate work location.

Diversity and Inclusion Statement

Serving all Californians, the CEC embodies diversity, equity, and inclusion, and has taken 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): _____



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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): _____

Supervisor's Signature: _____ **Date:** _____