



STATE OF CALIFORNIA

# DUTY STATEMENT

CEC-004 (Revised 7/2021)

**Classification(s):** Assistant Chief Counsel

**Position Number:** 140-5871-001

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

**Collective Bargaining Identifier (CBID):** M02

**Work Week Group (WWG):** SE

**Effective Date:** 12/13/2021

**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

Under the general supervision of the Chief Counsel, each incumbent performs the most complex and sensitive legal work in the office. Each incumbent 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 incumbent will supervise a unit that primarily advises the Commission on rulemakings and implementation of energy efficiency and renewable energy regulations.

At least one incumbent will supervise a unit that is primarily comprised of hearing officers and manages the conduct of adjudicative proceedings before the Commission.

At least one incumbent will supervise a unit that primarily addresses transactional work.

At least one incumbent will supervise a unit that primarily focuses on advocacy and compliance matters and consists of attorneys representing technical staff in quasi-adjudicative proceedings before the Commission.

## Essential Duties

40% Supervises the attorneys assigned to a specific unit. Plans, organizes, directs, coordinates, the legal work of the unit section; assists in the management of the Chief Counsel's Office by establishing legal strategies for the Commission in the area of his/her supervision; evaluates the performance of subordinate staff and takes or effectively recommends appropriate action; may serve as acting Chief Counsel in the Chief Counsel's absence;

reviews all work product prepared by subordinate attorneys to ensure legal sufficiency, quality, and consistency with changes in law and Commission policies; ensures that the Commission's work complies with applicable legal requirements; possesses knowledge of the general body of state and federal law, with emphasis on that portion relating to the administrative law, and the incumbent's specific unit area.

30% For incumbents supervising the Advocacy and Compliance unit: Reviews the legal documents drafted by subordinate attorneys, including post-hearing briefs, motions, comments on Commission proposed decisions as well as draft legislation, regulations, and agreements. Duties encompass representing technical staff in power plant siting and amendment proceedings, investigations, compliance, and enforcement matters and reviewing environmental and investigative documents, preparing staff witnesses for administrative hearings, conducting direct and cross-examination in hearings, and negotiating settlements with power plant owners. Duties also include advising the Commission and its staff on complex rulemaking proceedings and overseeing data management efforts, including responding to public requests for documents, preparing responses to requests for confidentiality, and drafting non-disclosure agreements.

For incumbents supervising all units: Drafts the most difficult and important Commission legal or policy documents, including legislation, regulations, orders, decisions, briefs, motions, and comments on Commission proposed decisions; participates in the most complex and sensitive Commission proceedings; represents the Commission in very sensitive and complex administrative proceedings before other government boards and agencies; represents the Commission in the most difficult and complex litigation in state and federal courts; and advises the Commissioners and Executive Director on all aspects of Commission business.

25% Acts as part of the Chief Counsel's Office management team, and will be responsible for assisting in coordinating the work of the office, ensuring consistent advice across diverse program areas, ensuring that the work of each team member is appropriate to his or her experience level, and that the work is properly apportioned among the subordinate attorneys.

### **Marginal Duties**

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

### **Working Conditions**

The California Energy Commission is primarily a telework environment. Limited-in person attendance and occasional travel may be required based on the needs of the division. Regular and consistent attendance is essential to the successful performance in this position. The Energy Commission encourages a hybrid workplace model that is designed to support a distributed workforce of both office-based and remote-centric workers.

**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):** Linda Barrera \_\_\_\_\_

**Supervisor’s Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_