Executive Order 2011 – 02
ESTABLISHING THE GOVERNOR'S OFFICE OF ENERGY POLICY

WHEREAS, energy production, generation, transmission and conservation are vital to Arizona; and

WHEREAS, long-term energy supplies are critical to the well-being and future of Arizona; and

WHEREAS, it is the responsibility of the State of Arizona to promote energy exploration and production and employ measures to reduce wasteful uses of energy, which diminish the State's energy resources; and

WHEREAS, the State Energy Office has been operating within the Arizona Department of Commerce; and

WHEREAS, on February 17, 2011, the Arizona Competitiveness Package (Laws 2011, 2nd S. S., Ch. 1) was signed into law and replaces the Arizona Department of Commerce with the Arizona Commerce Authority; and

WHEREAS, the Arizona Competitiveness Package includes provisions relating to the succession of the State Energy Office within the Office of the Governor;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by the authority vested in me by the Constitution and Laws of this State do hereby establish the "Governor's Office of Energy Policy" (OEP) within the Office of the Governor and order as follows:

1. The Director of OEP shall be appointed by the Governor and serve at the pleasure of the Governor. The Director shall be the official in Arizona designated by the Governor to oversee energy planning and coordination, and to fulfill the duties provided in this Executive Order.
2. Employees who work for the State Energy Office in the Arizona Department of Commerce shall be transferred to OEP and retain their State of Arizona personnel status that is in effect on the date of transfer, unless a change is mutually agreed upon by the employee and the OEP Director. New employees hired by OEP after the effective date of this Executive Order shall serve at the pleasure of the OEP Director.
3. The duties, powers and authorities of OEP shall include:
   a) Informing the Governor, the Legislature, public officials and the general public of the State's energy requirements, supply, transmission, management, conservation and efficiency efforts;
   b) Coordinating and cooperating with federal and state agencies, departments and divisions, and local governments on issues concerning the State's energy requirements, supply, transmission, management, conservations and efficiency efforts;
   c) Pursuing and accepting federal delegation of responsibility and authority for matters that affect the energy supply, transmission, management, consumption and conservation by the citizens of Arizona, other than energy codes and standards for buildings and those matters under the jurisdiction of the Arizona Corporation Commission;
   d) Providing technical assistance to all state agencies, departments, divisions, local governments, school districts and public institutions for energy conservation projects and renewable energy resource opportunities, and help those entities secure funding where available for energy conservation and renewable energy projects;

e) Promoting energy conservation and the utilization of renewable energy resources through research, public information, education and training, technical and funding assistance and other activities;
f) Assisting in the development of energy-efficient technologies;
g) Entering into other agreements or contracts in order to carry out the provisions of this Executive Order and perform other duties as directed by the Governor.

4. OEP may accept monies from local, state or federal government sources, other public agencies, or non-government organizations, and monies donated or awarded by any other entities. The monies shall be expended solely for the purposes provided in this Executive Order and accounted for as provided by law.
5. All orders, regulations, contracts and licenses, which are in effect at the time this Executive Order is signed, shall continue in effect according to their terms until modified or terminated.
6. The authority, powers, duties and responsibilities of this Executive Order shall not alter any existing responsibilities, jurisdiction or planning functions of state agencies established by state or federal law; nothing in this Executive Order shall be construed to provide or imply any regulatory authority by the Governor's OEP over public utilities that are subject to the jurisdiction of the Arizona Corporation Commission.

IN WITNESS WHEREOFF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer

GOVERNOR

DONE at the Capitol in Phoenix this 17th day of May in the Year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty- Fifth.

ATTEST:

Ken Bennett

SECRETARY OF STATE