



## Consent Item 9

TO: East Bay Community Energy Board of Directors

FROM: Melissa Brandt, Senior Director of Public Policy and Deputy General Counsel

SUBJECT: Legislative Position on SB 1215

DATE: July 15, 2020

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### Recommendation

Take a "support" position on SB 1215 (Stern).

### Background and Discussion

Senator Stern introduced Senate Bill (SB) 1215 on February 20, 2020. This bill would add Section 8373 to the Public Utilities Code, requiring the California Public Utilities Commission (CPUC), in consultation with the Office of Emergency Services, to create a database of critical facilities, critical infrastructure, and related critical circuits in Tier 2 or Tier 3 high fire-threat districts served by PG&E and other electrical corporations, and identify which serve low-income and disadvantaged communities. Furthermore, it would require electrical corporations to collaborate upon request with local governments in their service areas to identify critical circuits and microgrid projects. It would authorize community choice aggregators (CCAs) such as EBCE to use capacity resulting from their microgrid projects to satisfy certain resource adequacy (RA) requirements. Finally, it would require the CPUC and the California Independent System Operator to develop a methodology to account for the RA value of distributed storage no later than March 31, 2021.

EBCE's microgrid-type investments to date have been focused on resiliency efforts and aggregation of behind-the-meter solar plus storage projects, including the Sunrun contract for 500 kW as part of the Oakland Clean Energy Initiative and the contracts that will result from EBCE's participation in the joint agency Resiliency RFP. EBCE expects to continue to invest in microgrids to meet critical facility needs in our service territory, providing both resiliency and environmental benefits, as well as local investment benefits. Ensuring that EBCE's customers receive RA credit for these investments will lower customer costs. Given that supporting development of microgrids in our local communities and receiving RA credit for those investments as laid out in this bill align with EBCE's general legislative principles around accelerating decarbonization and promoting local development, as well as our public policy positions on disadvantaged communities and environmental sustainability as laid out in our Legislative Program, EBCE staff recommend taking a "support" position on SB 1215.

SB 1215 has passed out of the Senate and has been referred to the Assembly Utilities and Energy Committee. Amendments are anticipated in the policy committee and EBCE staff will continue to follow the bill as it is amended to assess whether the amendments would change our position.

**Fiscal Impact**

None.

**Attachments**

None.